

# List of Witnesses from the Bombay Presidency examined (24th to 31st Days.) before the Royal Commission.

TWENTY-FOURTH DAY (1sr MA)	ROH 1918)				Pages.
Sir Basil Score, Kt., Chief Justice, Hight Court of	, ,	1			
R. P. Paramppe, Esq., Principal and Professor of Ma			D	***	1 8
Pency James Mead, Req., L.C. S., Junior Collector				•••	8 36 36 48
The Rev. Canon Croil Stanspeld Rivington	***	***	***	***	48 58
THE MEY, CANON CACLE CHARGED INVERSION	***	•••	•••	***	30- DO
TWENTY-FIFTH DAY (8ad MAR	СН, 1913).				
His Highness Aga Sultan Muhammad Shah, Aga Ki	ian, G.C.S.I., G	.C.I.E.		***	54 69
LALUBHAI SANALDAS MEETA, Esq., Merchant and Ban	ker			***	69 82
LOUIS CHARLES CRUMP, Esq., I. C. S., District and Se	ssions Judge	***	***		82-100
Рибвозевнан Јенансіявнан Тальуаркнан, Esq., Act	ing District and	Sessions J	udge	1	100106
TWENTY-SIXTH DAY (4re MAR	CH, 1913).				
REGINALD POCOCE BARROW, Esq., I. C. S., Continission		ivision		•	107125
RAGRUNATH PANDUBANG KARANDIKAR, Esq		***	***		125~139
ROBERT BENSON EWBANE, Esq., I. C. S., Acting Regis		tive Societi			139148
STANLEY LOCKHARY BATCHBLOR, Esq., I. C. S., Judge					
, , , , , , , , , , , , , , , , , , , ,	0				
TWENTY-SEVENTH DAY (62H MA	RCH, 1913).				
George Seymour Corpis, Esq., C.S.I., I. C. S., Comb.	issioner, Centra	l Division,	Poons	1	61-186
BRUGGE RECEDENTS MEMERICAN Fog., Subordinate	Iadge	***	.***	1	86-199
LANCELOT GRAHAN, Esq., I. C. S., Assistant Remembra	incer of Legal A	ffairs	***	2	00209
Khan Bahadur Saiyed Shamsuddin Kadai, Oriontal T	ranslator to Gov	rernment	,,,	2	09218
• ,					
TWENTY-EIGHTH DAY (714 MAF	ICH, 1918).				
Sir Henry E. E. Proceer, Merchant	***	***		··· 2	19225
Rao Bahadur Raghunath Vyankaji Sabnis				2	25 <b>–</b> 23∩
Henry Staveley Lawrence, Esq., I. C. S., Collector of			***	2	36202
GOVIND DINANATH MADGAVEAR, Esq., I. C. S., District	and Sessions Ju	dge, Ahmei	lnagar	2	52288
mentary arrange par day Mah	OT 1019)				
TWENTY-NINTH DAY (10rn MAR					
Sir N. G. CHANDAVARKAR, Kt., Judge, High Court of J	udicature, Bom	bay	***		39306
Sir Pherozeshau M. Mehra, K.C.I.E		fin	***	30	08327
THIRTIETH DAY (11se MARCH	1913)	}			
,	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	e.	1	95	8844
, , , , ,		•••	0		4354
GHULAN MAHONED BEURGEI, Esq., Zamindár, Bar-at-I	ic.w				5-370
S. M. Brancona, Esq., Deputy Collector	er America Romb	.,,			70376
WILLIAM HASTINGS SHARP, Esq., Director of Public In	ысисмон, лошо	ay .	•••	0	.0~270
THIRTY-FIRST DAY (12TE MARC	Н, 1913).				
JERANGIE H. KOTHABI, Esq., Additional Member of th	e Legislative Co	uncil, Boml	bay	37	7-386
NARSINE CHINTANAN KELHAR, Esq., Vice-President, Po	ona City Munici	pality		38	36611
Sir Chinubhai Madhavlal, Bart., C.I.B	***		***	. 41	1517
GANESH KRISHNA SATHE, Esq., Pleader		***	•••	41	7-424

# NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked A and B, which were issued to efficial and non-official witnesses respectively, and which will be found on pages v—xxxvii of this Volume,

alm.

## QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

## METHODS OF RECEDITIONS.

#### (a) General.

- 1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?
  2. In what respects, if any, do you flud the present system faulty in detail, and what alterations
- would you suggest i 3. Is the system equally suitable for the admission of "Natives of India" \* and of other natural-
- born subjects of His Majesty ? If not, what alteration do you recommend? The term. "Natives of india" has been fedined in section 6 of the Government of Juda Act, 1876 (33 Vist., a. 8), as including any persons born and demolided within the Deminions of His Majority in Juda of parents habitanly resident in Juda and tot established there for temperary purposes only; and the term has been as used throughout these questions.
- 4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty ? If so, what do you propose i
- 5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons
- 6. If you do not consider the present system of recruitment by an open competitive examination 6. If you on not consider use present system of recrument of an open companion of the satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—
  (a) Solicition by becamester, of schools approved or otherwise:
  - (b) Selection by authorities in Universities approved or otherwise:
  - (c) Nomination by headmasters or University authorities and selection under the orders of the
  - Secretary of State: (d) Combined nomination and examination:
  - (e) Any other method.
- 7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?
- 8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?
- 9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so,
- what proportion do you recommend?

  10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India," would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) and other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?
- 11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty ?
- majesty Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lice of, or as supplementary to, the present system of promoting to listed peats effices of the Provincial Civil Services? If the former, what alternation, if any, would you recommend in the conditions governing the Provincial Civil Services?
- any, would you recommend in the conditions governing the Provincial Unit Services?

  13. Do you be recommend any separate method of recommend for the Judicial Branch of the
  Ladian Griff Service? It is, please describe the system that you would groopes.

  14. Are you castisfied with the present definition of the team "Natives of India." in section 5 of
  the Government of India Act, 1870 (33 Virth, c. 5), as including: any person been and domicided
  with the Commission of Illis Majesty in Intits, of parents indibutally resident in India, and not
  "established there for temporary purposes only," irrespective of whether such presons are of unnixed.

  Ladian dessent, or of mixed European and Indian descent, or of unnixed European descent? I'more, please state fully any proposals that you wish to make in regard to this matter.

# (b) Age Limits.

15. If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fract to attend candidates of the normal school-leaving. age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?

† The principal changes in the age limits have been as follows :--

Year	ıs,		Age limits at open competition,	Period of probation in England.	Age of selected candidates at end of year of serival in India.
18531837			18-22 3/22/8	** * ** ** ** ** **	181-531
1800-1805	***		1897 years	4	10(-25)
1897-1858 1878-1801	414	***	17-21 years on 1st March 17-19 years on 1st Jacoury	Two or three years' probation	191-22 20-23
1832-1855		Print	21-23 years on 1st April	One year's probation	22 <b>4</b> —344
1895—1965 Singe 1966	***		21-23 years on 1st Jamesey	- Do	23-25
			22-94 yours on 1st Amerist	Do	. 234—264

#### A.—Indian Civil Service.]

#### METHODS OF RECEGITMENT-conf.

## (b) Age Limits-cont.

16. What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—28 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Sarvice ?

18. What is the most suitable age at which junior civilians should arrive in India?

19. (i) What ago limits for the open competitive examination in England would best suit blates who are "Natives of India," and for what reasons? (ii) Do you recommend any candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?

#### (c) Subjects of Examination,

20. On what principle should the subjects for the open competitive examination be fixed ? Do you except the principle laid down by Lord Massalay's Committee in 1864, and since followed, that the examination should be of soch a nature that no candidate who may fail shall, by whatever "walling he may devote himself, have any reason to regret the time and about which be had speat "in preparing himself to be examined," and that the object should be to secure, not specialized in any particular carbon, but the ordinary well-educated particular carbon, but the ordinary well-educated and the ordinary well-educated the control of the ordinary well-educated the ordinary well-educ young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving ago

and (b) of University-leaving age?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

#### (d) Statutory Regulations,

28. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in recruited to the Indian Ciril Service, and, it so, what posts and for what reasons? Please state in dotain what alexantius of farry you recommend in the Schedule of the Indian Ciril Service Act of 1861 (24 and 25 Vict., a 54). [Attention is invited to the previsions of the Indian Ciril Service Act, 1861 (24 and 25 Vict., a 54), and of the Government of India Act, 1870 (33 Vict., a 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of Maropean subjects of His Majesty should be amployed in the higher posts of the Ciril Administration? If so, to what preparities of the posts indicated in the Indian Ciril Service cadre do you consider that "Natives of India" might, under

present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives The India's are resulted pactly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of selection 6 of the Government of India, 64, 1867 (33 °Nz, a. 3), ow this the provisions of the Indian (ivi) Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations

in this system, and, if so, what?

So Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Givil Service by means of open competition in England, stating in what year they were

admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same shanding and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?

#### (e) Mixed Commissions,

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all

Thus does on animal responsionary? This is come possessed our experient to employ them in an instances of the Administration, whether on exemitive or judicial duties?

31. If the system of recuriting military officers in Lucius has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services? -

#### (f) Litted Posts, etc.

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conterred by section 6 of the Government of India, Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices.

#### FA.—Indian Civil Service.

#### METHODS OF RECEUTMENT-cont.

# (f) Listed Posts, etc.—cont.

places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not,

please state for the last five years to what extent there has been any failure to work up to the author-

pages should be the last any local way the same and the s and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions? 37. Does the system by which most of the inferior listed posts are merged in the Provincial

Oil Service give satisfaction—(c) to the moments of the Principal Civilization (b) to the public interested in this question; and what advantages, if any, does this arrangement posees?

8. Is the class of posts listed satisfact, I if not, in what directions would you suggest any

ohanges and why? 39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as officient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., a. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed. permanently to posts in your province under its provisions during the last five years, giving names

and the nature of the posts so filled. 41. Are there any other ways in which "Natives of India" are appointed to your province to

Civil Service posts? It so, please give details active or a manual accordance we your province to Civil Service posts? It so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of retriment for Indian Divil Service posts which are not covered by your answers to the foregoing questions.

#### Systems of Training and Probatton.

# (a) Probation.

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended

Tessons ?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation

in England, what alternative course of study do you recommend?

49. Would it, in your opinion, he desirable to establish a separate institution in England for this purpose, and, if so, under what conditions in England, do you accept the principle laid dewn by Lord Maeulay's Committee in 1834, that successful candidates in the open competition should

by norm measures a committee in row, was selective measurement and to be open designation around be considered as having finished their general education and that their future statics should be such as have a special tendency to fit them for their calling? Does you can sever apply equally to candidates who pees the open competitive examination after leaving school and to those who do so after completing a University course? 51. Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any)

you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you.

82. In particular, please state your opinion as to the desirability during the period of probation of (i) compaisors attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the granular principles.

DIGINAL JAW IN GOODING to the general principles on jurispirateness; (111) can recoming on any grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts.

33. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the

training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

viii

## Systems of Training and Propation-cont.

# (a) Probation-cont.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two-

years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organisation of Oriental: Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers: in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European. stadent's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for-"Natives of India," whether in lieu of or supplementary to the system of recruitment in England,

please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it.

should be passed in England or in India?

90. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course preserved for other natural-born subjects of Ilis Majesty? I keep less estate the special ranagements that you. recommend?

# (b) Training.

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced P

61. Is the existing system of departmental examinations suitable, and if not, what change do you.

recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian. languages possessed by members of the Indian Civil Sorvice? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the

study of the Indian languages, and if not, how could this best be remedied? 63. Do you recommend any changes in the rules for the encouragement of the study of Oriental:

langanges, and if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a callto the Bar, reading in barristors' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the

Judicial branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages i

OS. Is any differentiation desirable in the system of training after appointment in India between, members of the Indian Civil Service who are "Natives of India." and other natural-born subjects of: His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct requitment in India for "Natives of India," whether in lies of, or supplementary to, the system of requirement in England.

please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state yourproposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the

foregoing questions.

#### CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—

(a) that the members of the service should have sufficient training in subordinate or inferiorappointments before they are called upon to discharge the duties of higher ones; and (b) that they support and the state of the support of their service, have sufficient subries and subries are subries of the subries and subries are subries are subries and subries are subries are subries and subries are subries and subries are subries are subries and subries are subries are subries. On an output subries are subries. at least the lowest of these appeintments after the completion or again years service. Do you necept this system? If no, do you consider that the paried of eight years is saitable, or do you recommend, any change? What alteration (if any) would be necessary if the age of recruitment were lowered? A. It is also pert of the cristing system that officers of over two but under eight years' completed service should fill with pretented permenoney in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above

#### [A.-Indian Civil Service.

#### CONDITIONS OF SERVICE-cont.

that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience and, if so, what has been caused thereby to the Administration,

75. Please now see the statement marked AA and the list marked-

Madras=A, Burma = F, Bombay=B Bengal=C, Bihar and Orissa=G, Central Provinces and Berar = H. United Provinces=D. Assam = I.

Punjab = E, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary.

or your rownes. I not, pieuse sauce what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more

posts shown in the list for your Province? Do all this posts entered as superior carry a salary of more
han Be, 1,009 per mensen, and are they all such as an ordinarily held by officers in the Indian Ciril
Sarrice? If not, what deanges, if any, do you suggest?
77. Does the number of american posts shown as ladd directly under the Government of India
correspond with the sound experience of the last five years? If not, please give particulars of the
discrepancies, and say whister you consider any change of presides in this respect to be desirable.
78. Does the number of superior posts allowed for temporary appointment and deputation
respond with the sectual experience of (say) the last five years? If inc) please give perticulars of
the discrepancies and say whether you consider any change of practice in this respect to be desirable?
79. Does the number of whether you consider any change of practice in this respect to be desirable?
79. Does the number of which officers, recruited against the moreover superior notes are

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be

necessary? 80. Does the allowance of 39 per cent, on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what

excess or deficiency in your opinion exists, giving your reasons in detail. 81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percent-

age of 15.5 allowed for training? 82. Does the leave allowance of 32.7 per cent. for superior posts, 8.7 per cent. for inferior posts, and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 417 per cent, on the total strength of the service

on. Now were manusal uncertenests row of a \*1 per sort, on the total strength of the service correspond with the oducal expressions of the less 70 years? If not, places give the endual fasts for this period and suggest a unitable figure, with respons in support of the same. 84. Does the theoretical strength of the service correspond ordinarily with its actual strongth? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the criticing discrepancy shown in the stelement matrice BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinqueunial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what

C

State the principles on which the annual indext for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you stiffed that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and here you any suggestions to make regarding it, partimakely on the endpices of selection for higher appointments and of the compalsery retirement of inefficient officers?

88. To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension.

#### CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading

of each class of post for the different Pervines, and say whether they are correct previous.

91. Pless give full information regarding the rates of pay and the number of posts in each of the nain grades of the service authorised on the 1st April of each of the following years: 1880, 1870, 1880, 1890 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alterations do you recommend? 93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts

or to both ? 94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?

## A.-Indian Civil Service.]

# CONDITIONS OF SALARY—conf. 95. Do you consider that the exchange compensation allowance, introduced in 1893, eligibility

for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants? 96. If abolition is recommended with compensation in the form of increased salaries what is your

oninion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the

officers of the service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?

189. As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services? 102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades,

charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different? 103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of

independent responsibility, and do you or do you not consider it desirable that all members of Indigitizant responsation, and to you or us you have consider the estimate that of incompare on the factor CHI Service should have the prospect of raing to such pets within a fixed time? Girl. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding, listed posts, do you approve of the arrangement by which they draw selary approxi-

mately at the rate of two-thirds of the pay drawn in the name posts by members of the Indian Givil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

# CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years age? If so, to what is this due? 107. Is all the leave on this lay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be extend in your opinion

suitable? If not, what alternative arrangement do you suggest? 108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service?

Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1898, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, and the second of the second o

and, if so, what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking do any of the present leave rules a plicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and pwhat remedy do you suggest?

114. In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your openion, the appropriate remedy? 116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly

on the officers themselves, and in what respects? In particular, do you consider that superate sets of rules for such officers and for officers of the Indian Civil Service are desirable? 117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

#### CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Gevernment and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service ?

#### FA.—Indian and Provincial Civil Services.

### CONDITIONS OF PENSION—cont.

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its deteiled working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200L a year after lily years' actual service as Judges? Do you recommend any change in the present conditions?

122. Do you consider that a similar system should be applied to the cases of high Executive

officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may

be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Girll Service? In particular, what is your opinion of the present rules regulating robuntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of Military officers holding Indian Giril Service posts? If not, what do you suggest? [127. Do you approve of the present system regulating the pensions of Statutory Civilians? If

not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest? 120. Do you accept as setisfactory the regulations of the Indian Family Pension Fand, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indiau Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European

members on which the present system is based?

181. Do you recommend that such admission should be optional or compulsory? 182. If you do not approve their admission to the Indian Civil Service Family Pension Fund,

do you recommend the formation of a separate Family Pension Fund?

on your resolutions; or common on a separate sensity, standard standard for the families of deceased Military officers holding Indian O'ril Service posts satisfactory? If not, what would you suggest? If sat, what would you suggest? Stationard you may criticisms to make or the feedlittee at present offered—(a) to Stationy Civilians; (b) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

#### GREERAT.

186. Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any usus oversimers or an automatic of the control of the control of the control of the suggestions that appear to you saitable.

137. Have you say other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

#### QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note,—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

#### METHODS OF RECRUITMENT.

- Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910. defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any resommendations to make for their alteration?
- 2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration ?
- 3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?
- 4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation.

  5. Please state the number of natural-born subjects of His Majesty other than "Natives of India"
- recruited in your Province in each year.
- 6. What is your experience of the officers selected by the different methods of recruitment. which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition.

xii

# METHODS OF RECEUTMENT-out.

(b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe

fully the system that you recommend. To what extent are non-residents of the Province employed in your Provincial Civil Service?

Do you consider that only residents of the Province should ordinarily be recruited?

S. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to scoure this object?

# Systems of Teatning and Probation.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend? 10. Is the existing system of Departmental examinations suitable, and, if not, what changes do

you recommend?

#### CONDITIONS OF SERVICE,

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

 What is the system on which the strength of the Recentive branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training and is it adequate?

15. What is the annual rate of requitment and how is it fixed? Has it worked well in practice.

and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced?

Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inofficient officers?

18. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of groved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest ?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation " the Provincial Civil Service "? If not, what would you suggest?

#### CONDITIONS OF SALARY,

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Ciril Service subbrided on the 1st April of each of the following years:—1809, 1000 and 1912. When was the skie general recognization effected, and what improvements.

ment of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

75. Are you astissed with the present system under which efficiating promotions are not made in the Pervinnial Civil Service? If not, that alteration do you recommend 26. What is your opinion regarding the substitution of a time-scale of sainty for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

- 28. What is your experience of the practical working of time-scales of pay in other Indian services?
- 29. If you recommend any kind of time-scale of pay please describe the scheme that you pro-29. If you recomment any kind we turn-water at any profess ensemble the scheme that you propose and take what conditions should be hald down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different i

service in quincem:

30. Do you approve of the arrangement by which efficers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by monobers of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

# CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this doe?

#### [A .- Provincial Civil Service.

#### CONDITIONS OF LEAVE-cont.

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be carned in your opinion

suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend? 35. Do you consider that the maximum and minimum limits of leave allowances at present

fixed are suitable?

30. Have you any recommandations to make in regard to special leave, extracrdinary leave with allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how

can this difficulty be met?

necessary?

39. Do any of the present leave rules press burdly in any way on officers of the Provincial Ciril Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

#### CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working,

and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding lated posts? If not, what do you suggest?

45. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend? 45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognised funds?

# Are any further facilities required, and what arrangements of this kind do you consider to be

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

# A .- Indian Civil Service.]

# APPENDIX I.

Period of Age-Limits, 17-21, i.e., down to 18	17	Period of Age-Limits, 17-19, i.e., 1878-1891.	
Subjects,	Marks.	Subjects.	Marks.
1. English Composition y. History of England, including that of the Laws	500 500	English Composition     History of England, including a period selected by the candidate.	300 300
and Constitution.  English Language and Literature	889	by the candidate.  3. English Literature, including books selected by the candidate.	300
4. Language, Literature, and History of Greece. 5. Language, Literature, and History of Rance. 6. Language, Literature, and History of France. 7. Language, Literature, and History of Germany. Literature, and History of Hely.	750 .750 275 275	4. Greek	500 500 500 500
1. Linguage, Licenston, and History of Huly 2. Mathematics pure and mixed 3. Mathematics pure and mixed 3. Mathematics pure and mixed 4. Mathematics pure and mixed 5. Mathematics pure and mixed 6. Mathematics pure description and Mathematics 6. M	975 1,250 1,000	8. Italian  9. Italian graph of mixed)  10. Nateral Science-takt is, the Essents of my two of the following Sciences, rin, Chemistry, 500; Estricity, and Magnellam, 300; Estremantal Laws of Feat and Light, 300; Beckanian Philosophy, with ordines of Asteroscopy, 300.	468 1,000 860 or 690
11. Moral Science-that is, Logic, Mental and Moral Philosophy. 12. Sanikrit Language and Literature	500 600	11. Legic 12. Elements of Political Economy 13. Banskril 14. Sanskril	300 300 500
13. Atabio Language and Literature	560	14. Arabie	500
Period of Age-Limits, 21-23, i.e., 1892-1985		Period of Age-Limits, 22-24, i.e., 1905 to Date.	500
English Composition     English History	500 500	English Composition     English Ristory, either or both sections may be taken—	400
3. hoelish Law, viz., Law of Contract-Orlains? Law -Law of Evidence near Law of the Constitution	500	Section I., to A.D. 1485 Section II., a.D. 1486 to 1848 3. Euglish Lew	400 500
<ol> <li>English Language and Literature (including special period named by the Commissioners).</li> </ol>	509	4. English Language and Literature	604
h Greek Language and Literature	740	Greek, not less than two sub-divisions of which one must be Translation :— . 5. Translation	400
6. Greek History (Anciest, including Constitution) 7. Lattic Language and Literature	400 750	6. Press Composition . 7. Versa Composition . 8. Literature, etc. 9. Greek History (Anciest, including Constitution), Lakin, not less than two archdivisions, of which ene must be Translation . 10. Translation 11. Press Commonition	200 200 200 500 500 400
Boman History (Account, including Constitution)     Reman Lwe     French Language and Literature	500 500	12. Verse Composition 13. Literature, etc. 14. Roman History (Anciest, including Constitution) 15. Roman Law 16. Franch, History of the Language and Literature. 17. Franch, Translation, Composition and Couver-	200 300 500 500 201 400
It, German Language and Literature	500	18. German, Bistory of the Language and Literature. 19. German, Translation, Composition and Conversation.	200 400
No Committee Wildows and day to release	500	20. Italian, History of the Longuage and Literature. 21. Italian, Translation, Composition and Conver- sation.	400,
<ol> <li>General Modern History (period to be selected by Candidates from Mat in the syllahus issued by the Commissioners, one period at least to include Indian History).</li> <li>Mathematics (pure and applied)</li> </ol>	900	22. General Modern History	
15. Advanced Nathernation subjects (pure and applied).  16. Natural Science, i.e., any number not exceeding three of the following subjects:  Elementary Obscuistry and Elementary Services (asp. Physics of the Common of the Com	900	93. Higher Mathematics 95. Materal Science, i.e., they number not exceeding four of the following or three if both Lower and Higher Mathematics be she taken:  (1) Chemistry 609 (2) Physics 600 (3) Geology 849 (4) Chemistry 840 (5) Report 840 (5) Report 840 (6)	1,200 1,200
try or Higher Paysids)  Higher Cheminary 500  Higher thysics 500  Geology 600  Bolany 500  Zoology 600  Animal Physiology 500	1,800	(4) Sotany	0r 1,800
10. Logic and Mental Philosophy (Ancient and	400	26. Legic and Physiology	600
<ol> <li>Moral Philosophy (Ancient and Modern)</li> <li>Political Economy and Reonomic History</li> <li>Political Science (including Analytical Juria- produces, the Early History of Institutions and Thomy of Legislation).</li> </ol>	1	27. Moral and Metaphysical Philosophy 28. Political Economy and Economic History 29. Political Science	600 600 600
2), Sanktii Language and Literature 21, Arabic Language and Literature.	1	21. San-krit Language and Literature 32. Arabic Language and Literature	800 800
Conditates are at liberty to name any or all of these of knowledge. No subjects are obligatory.	esdonerd	Consistently with the limitations specified above Cas are at liberty to name any of the foregoing solviets. I that the maximum number of marks that can be o from the subjects charm is limited to 5,000.	ndidates provided blained

FA.—Indian Civil Service.

#### APPENDIX II.

THE INDIA CIVIL SERVICE ACT, 1861.

(24 & 25 Vict., c. 54.)

An Act to confirm certain Appointments in India, and to amend the Law conserving the Civil Service there.

[1st August 1861.]

Weekens by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty, 20.5-2.2. two, it was enacted that all the ciril servants of the East-India Company in India under the rank or degree of Members of Council should have and be enactified to procedence in the service of the said Company at On influence the Couldary area of the country of the country of a productions as in the country of the country of their respective obtaines according to their sense of their country of a production, and, or degree therein than the country of their country of th entitied to societating to the length of this service; it and yearned on the same and it was entated that all reasoness shappening in any of the offices, places, or employments in the cirl lime of the Company's service in India (being nuclear the degree of Connelloy) should be from time to time filled up and supplied from amongst the cirl secretars for the said Company belonging to the presidency wherein such vaconoise should respectively happen: And whereas by reason of the exigencies of the public service retardes in anoun responsively as, and employments in India have been filled up by the appointment of environmental to india have been filled up by the appointment of persons not being ciril servants, or not being ciril servants, being ciril servants belonging to the presidency wherein the reasonable have happened, and otherwise not in accordance with the provisions of the end ensements, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future :

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :-

same, as follows:—

All apprintments made by the authorities in India to any such Offices, Places or Employ-easts shall be and approximate to desced to draw been as called and effectsor as if the Act hereinhoften resulted or referred to had not been passed—one with the Act of the Act o

except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

except as Astronautre provided, from amongst the covaminate civil servance of the (twom in Incia.

3. Where it appears to the authority in India by whom an appointment should be made to any office, frigate as place, or employment specified in the said closefule, that such appointment, under the special circumstances cerearied of the case, should be made without regard to the restrict qualification, conditions, our restrictions of the gradual contraction of the contractions of the contraction of the con said Act, it shall be lawful for such authority to make such appointment secondary; provided that no person periodical scale has one producted whe has not recisied for a least seven years in India, and that every person periodic secondary in the law of the best of the being so appointed to any of the offices in the Servence and Judicial Departments promised in the said value of the law of the said of the law of the said of the law of the said of the law of t

up within regard to restrictions which by up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

pre-cribide

6. Provided always that this Act shall not apply to the effice of Lieutenand-Governor of any part of Her Act set to
Majesty's dominions in Loris, or to any offices for the supply of which provision may be made by any other distribution.

Act of the present session of Parliament.

As of the present session of Yeritament.

7. Section fifty-in of the said act the thirty-third year of King George the Third, and so much of the sended other sections of the said Act and of any other Act now in force as requires seniority as a condition or a Newman qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

\*\*Section for the appointment of civil servants to offices, places, or employments, shall be repealed.\*\*

\*\*Section for the appointment of civil servants to offices, places, or employments, shall be repealed.\*\*

\*\*Section for the appointment of civil servants to offices, places, or employments, shall be repealed.\*\*

# SCHEDULE.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant-General.

Civil Auditor. (a) Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Districts in the said Provinces

Regulation Provinces. 2. Additional and Assistant Judges in the said

Provinces

- 1. Members of the Board of Revenue in the Presidencies of Bengal and Madras 2. Secretaries to the said Boards of Revenue.
  3. Commissioners of Revenue or Chief Revenue
- Officers of Divisions in the Provinces now known as Regulation Provinces
- 4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
- 4. Joint Magistrates in the said Provinces. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the
- said Provinces.
- 6. Assistant Collectors or Assistants to Collectors in the said Provinces.
  - 7. Salt Agents.

Sub-Treasurer. (b)

- 8. Controller of Salt Chowkies.
- 9. Commissioners of Customs, Salt and Opium 10. Opium Agents.
  - (b) Now non-existent.

5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

3. Magistrates or Chief Magisterial Officers of

(a) New called Comptroller-General.

Perer to

#### A .- Indian Civil Service.]

### APPENDIX III.

# THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., c. 3.)

An Act to make better provision for making Lows and Regulations for certain parts of India, and for certain other purposes relating thereto.

125th March 1870.7

6. Whereas it is expedient that additional facilities should be given for the employment of natives of

The street of th tain offices
withing vizaifficule from
the Girll
Service Commissioners,
21 & 22 Victor
c, 100, 24 &
22 Victor, c, 55, thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with

freezines of the distribution of the modern process of the concerned of a unjointy of members present; in the concurrence of a unjointy of members present; and that for the purpose of this fact the words "natives of India" shall include any person born and demicifed within the dominions of Ref Majosty in India, of purests habitually resident in India, and not

established there for temporary purposes only; and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Honses of Parliament.

#### APPENDIX IV.

Notification of the Government of India, Home Department (Beladdishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 5), and in supersession of the rules published in the Home Department Notification No. 2156 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

I. The local Greenment may appoint any member of the provincial civil service subordinate to it, who is a native of India, and of proved ment and ability, to any of the offices, places, and employments excitactly held by members of the Civil Service of His Majordy in India, to fill which it has been declared. by such local Government (by notification in the official Gazette) that members of such provincial civil

service can properly be appointed.

service can properly be appointed.

2. The local Generament may at any time appoint any netire of India of proved merit and ability to any of the offices, places, and employments specified by such local Generament in any such a sulfication as in Rule 1 is mentioned; provided that not more than one-forth of the offices; places, and employments to a predict shall at any one time be lock by natives of India not members of the provincial crit; service are always and the local Generament, but this province shall not apply to or include any states of India (act a number of the continuation of India Act, 1810 (38 Ventoris, Chapter 38), but an offices, place, or employment to the first like the continuation of India Act, 1810 (38 Ventoris, Chapter 38), but an offices, place or employment. in the Civil Service of India.

in the Util Series of Anna.

3. In addition to typicationals made under Rules 1 and 2 the local Government may, whenever the expensive of the public service rander knocessary, appoint to any of the offices, places, or employments ordinarily hald by members of the Cril Service of His Adjecty in Julie, for a period not exceeding three months, any native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may deelers any appointment to be made on probation only and may receptibe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

> A. EARLE. Offg. Secretary to the Government of India.

[A.-Indian Civil Service.

APPENDIX V.
STAZEMENT showing Posts listed as open to the Provincial Civil Services.

. –	Madres.	Bombay.	Bengal,	United Provinces.	Panjsb.	Вауша.	Bihar and Orisea.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts District and Divisional Judges.	9 4	2	} * {	5	2 6	2 2	} * {	4 2	} #9
Settlement Collectors					2	1			3
Sub-Collectors	2		١		.,			· .	2
Secretary, Board of Rev-		١			1				1
euse Taluktari Settlement Officer.		1	1					1	1
Total	- 8	G		7	13	5	5	5	66
Inferior Posts.				ļ			"	] ]	
Secretary to Board of Revenue.	1			1					2
Under Secretary to Govern- ment.	. 1		1		1		1	.	4
Joint Magistrates or Assist- ant Commissioners or Assistant Collectors.	5	8	8	7	3			2	33
Assistant Judges		3							3
Small Cause Court Judges				2					2
Assistant Settlement Officers.		٠.	[	2				1	2
Assistant to Director of Land Records.				1			••	, ]	1
Total	7	11	9	13	4		1	2	47
Grand Total, Superior and Inferior.	16	17	17	20	15	ā	6	8	103

# A .- Indian Civil Service. 1

#### APPENDIX VI.

	2177		
Final Examination of 1891 when the Perio Propation was two Trans.	0 07	First Stationation of 1912 when the Period Propation was one Year.	07
Sabjeels (11).	Marks,	Subjects.	Marke.
1. * Classical languages of India—		Computery— 1. The principal versacular language of the Province to which the candi-	400
Sanskrit	500	date is assigned.	
Arabio	450	2. Indian History	40
Persian	400	3. Indian Penal Code	40
t Pernacular languages of India	400	4. Code of Criminal Procedure	20
(excepting Hindustani when taken up by Madros candidates and	l .	5. The Indian Evidence Act	20
Guyrati) each.	1	Optional-(Not more than one of follow-	
<ol> <li>The History and Geography of India.</li> </ol>	350	ing subjects.)	
4. † Law	1,250	1. § Banskrit	44
5. Political Economy	350	2. § Arabic	4
	1	3. Persian	. 4
•		Hindustani (for candidates assigned to the Province of Burma only).	4
•		5. Hindo and Muhammadan Law	4
	1		1

(e) In addition to the above, condidates were permitted to take up any one of the following branches of natural science, rin., Apriod/mail chemistry, botary, gudacy and reckepy, for which 356 marks were allowed.

Approximate commency, women, second, one news, and the control of these subjects could be taken,
† One of the languages prescribed for the condidates, 'Presidency or Province,
† The course of reading in Law incloded—

(1) General JuniagueinesElacistore's Commentaries.
Audin's Juniagueinesce.
The Institutes of Justinian.
Maine's Angieth Law.
Machanie's Staties in Rusan Law.

Bentham's Theory of Legislation.

(3) Law of India— The Code of Civil Procedure. The Indian Penal Code.
The Code of Criminal Procedure. The Indian Law of Contracts. The Intestate and Testamentary Succession Act, Hindu Law. Muhammadan Law.

(2) Law of Evidence—
The Indian Evidence Act.
Pit Taylor's Trentito on the Law of Evidence. Simultaneously the candidates attended courts and secolical the following detailed reports, with an unalysis and riptes in

ench care na.—
First Periodical Examination.

Series reports of pillies cond cross of a disperiory rangificate, embracing case in which the amplitude remodel fast printing that which has committed for rich.

On segament report of the whole business, of whatever kind, transacted in a public court during one day.

Second Periodical Examination. For reports of critical in the segament courts of London in which the defondant

was represented by counsel.

Fire reports of cases decided in the Central Criminal Court in which the prisoner was zwe reports or cases counted in the Contral Criminal Court in which the prisoner was represented by counted.

Third Periodical Resolution. There proper of civil eases of imperiance tried before special fusies in the Superior Courts
of Leadure.

of Lendon.

There reports of criminal cases of importance tried before juries in the Control Orininal
Court and selected for some special quality note as the pervisy of the offence, the
nature of the orifones produced, the number of the prisoners, size.

One report of the investigation before a London police magnificate of a grave criminal Final Examination charge ending in committel.

One report of the whole business, of whatever kind, transacted in a London police court in one day.

Two reports of important civil cases tried by a special jury in London.

One report of a case beard in the Judicial Committee of the Privy Council on appeal from India. § These subjects cannot be offered by any considers who has offered them at the Open Computition.

2)th Report of His Majes-17 × 01711 Service Commissionetw pages 523-6.

[A.-Indian Civil Service.

# APPENDIX VII.

# AA

STATEMENT showing the Cades and Strenger of the Ledge Civil Service for India as a whole and by Prestrenger or Provinces, as statefaced on 1st July 1919, together with the number of Pests histed as open to the Fronical Service in accordance with let terms of the Sales stade under the provinces of scation of the Government of India Act, 1570 (38 Vict., Cap. 3).

·	Madras.	Bombay.	Bengal,	United	Panjab.	Barma.	Bibar and Oriesa.	Cantral Provinces	Д88кш.	Total.
(1) No. of "Superior" posts, i.e., posts carrying a takery of over Rs. 1,969 a month in the	87	84	90	111	80	83	51	51	22	662
Presidency or Province. (2) Deduct for posts listed as open to Provincial Service.	6	6	8	7	11	5	6	6		56
(3) Add for posts under the Govern- ment of India (a).	8	8	8	10	7	6	δ	4	2	58
(4) Balance number of "Superior"	87	86	90	114	76	84	54	49	24	664
(5) Add 4 per cent. for temporary posts and for deputation. [M.R.—For such posts addi- tions are under in the lowest grade of assistants.]	8	3	4	5	3	3	2	2	1	28
(6) Total number of "Saperior" posts on which recruitment is fascel.	90	89	94	119	79	87	56	51	56	690
(7) Add "Inferior" peats, i.z., posts above the largest grade of assistants, but below the "Baperior" posts, at 39 per cont. of line (6).	3.5	35	87	16	31	34	23	20	9	269
(8) Add leave reserve at 40 per cent. of line (6).	88	35}	371	475	32	35	825	26	10	276
(9) Add training reserve at 16-5 of line (6).	14	131	143	181	12	13	81	8	4	106
(10) Strength of service required at 194-5 per cent, of line (6).	175	173	188	231	154	169	109	99	48	1,841
(11) Rate of recruitment at 4 17 per eart. of strength shown in line (10).	7-8	7-2	7:6	9-6	6:4	5-3 Civil. 1-7 Military.	4-5	4·1	2.0	54 Civil. 17 Military.

<sup>(</sup>s) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be alled from a particular Province.

# A.-Indian Civil Service.]

Mamber.

#### APPENDIX VII-cont.

#### LIST A.

#### MADRAS.

# Superior Posts in Order of Pay. Designation.

Pay of each.

			кв.
	1	, i	5,833 <u>1</u>
2	Members of Council	**	4,000
2	High Court Judges		3,750
		•••	3,750
3		•••	3,500
1			3,125
1	Secretary, Revenue Department		
5		•••	8,000
:		• • •	3,000
1		• • •	2,500-100-3,00
]	Resident, Travancere		2,800
7	District and Sessions Judges, second grade		2,600
1	Secretary, Municipal (Local) Department		2,500
(a) 7	Collectors, first grade		3,500
	District and Sessions Judges, third grade	٠	2,250 .
(a) 14			2,250
(7.7			2,000
			1,800-2,000
(a)			1,800
(4)			1,500-1,800
í			1,500 -1,800
			1,5001,800
			1,600
(8) 20	Sub-Collectors and Joint Magistrates, first grade		1,200
(0) 20	OLO-COHESION SER COLLS PERGISSERIOS, MICE GIRAC	.,	, 2,200
Deduct			
		but	
dance 8	Inferior parts, i.e., Peate above the Lowest Grade of Assistants, below the "Superior" Parts in order of Pey.	but	
dance 8	Inferior posts, i.e., Paste show the Lawset Grade of Assistants, below the "Superior" Parts in order of Pay.		1,000
lance 8	Inferior goats, i.e., Poste above the Lowest Grade of Assistants, below the "Superior" Parts in order of Pay.  Under Secreties Joint Magistratus, second grade	::	900
dance 8	Inferior posts, i.e., Peate above the Lowest Grade of Assistants, below the "Superior" Parts in order of Pey.  Under Secretaries, Joint Magnistantes, second grade		
lanco 8'	Inferior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay.  Under Secretaries Joint Magistanes, second grade third	::	900
dance 8'	Inferior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay.  Under Secretaries Joint Magistanes, second grade third	::	900
lanco 8'	Inferior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay.  Under Secretaries Joint Magistanes, second grade third	::	900
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Inferior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay. Under Secretaries	::	900 760
adance 8'	Infrior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Posts in order of Rey. Under Secretaries Joint Magnitantse, second grade , third ,  Reserve posts, i.a., Assistant Collectors.  Reserve for temporary posts and for departations.	::	900 760
nlanes 8'	Inferior posts, i.e., Pasts above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay. Under Secretaries Joint Magistrates, second grade third  Reserve posts, i.e., Assistant Collectors. Reserve for temporary posts and for departations. Learn reserve.	::	900 760
il ance 8'	Infrior posts, i.e., Paste above the Lowest Grade of Assistants, below the "Superior" Posts in order of Rey. Under Secretaries Joint Magnitantse, second grade , third ,  Reserve posts, i.a., Assistant Collectors.  Reserve for temporary posts and for departations.	::	900 760
nlance 8'	Inferior posts, i.e., Paste show the Lawset Grade of Assistants, below the "Superior" Pasts in order of Pay.  Under Secretaries Joint Magistrates, second grade third  Reserve for temporary posts and for deputations. Lawro reserve. Training reserve.	::	900 760
Stalance 8'	Inferior posts, i.e., Pasts above the Lowest Grade of Assistants, below the "Superior" Pasts in order of Pay. Under Secretaries Joint Magistrates, second grade third  Reserve posts, i.e., Assistant Collectors. Reserve for temporary posts and for departations. Learn reserve.	::	900 760

 <sup>(</sup>a) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Oradit Societies.
 (b) Includes Dopaty Commissioner of Salt and Abkāri, and Director of Land Records.

# [A.-Indian Civil Service.

# APPENDIX VII-cond.

#### LIST B.

# BOMBAY (INCLUDING SIND). Superior Posts in Order of Pay.

Number.	Designation.			Рау об езей.
				28.
2	Members of Council			5,8333
3	High Court Judges		**	4,000
1	Chiof Secretary		**	3,750
1	Commissioner in Sind			3,750
3	Commissioners		• •	3,500
. 1	Commissioner of Customs, Salt, Opium, etc.	,	••	3,125
1	Municipal Commissioner. Bembay			3,000
î			• •	5,000 3,000
1	Inspector-General of Police		••	2,500-100-8,000
i	Additional Judicial Commissioner			2,750
(a) 3	District and Sessions Judges, first grade			2,500
`´i	Secretary			2,500
6	District and Sessions Judges, second grade			2,325
13	Senior Collectors			2,325
1	Commissioner of Settlement and Director, Land	Records		Salary of grade oh
	, ,			a local allowance
				of Rs. 250.
9	District and Sessions Judges, third grade			1,800
(8) 15	Junior Collectors		••	1,800
1	Registrar, High Court			1,700
. 1	Private Secretary			1,500
	D . C			1,200
1	Deputy Commissioner, Upper Sind Frontier			Local allowance
8	D-littles I amendments			Rs. 300.
δ 1	Political appointments Assistant Remembrancer of Legal Affairs			
2	Under Secretaries		••	1,250501,500
í	Talnkdari Settlement Officer		••	1,250 1.100
1	Taluanii pedelinii Omesa 1		••	1,100
. 1	Assistant to Commissioner in Sind			
	Zenzenic to Commissional III Commission			Local allowane Rs. 100.
1	Manager, Sind Encumbered Estates			Salary of grade plu
-			•••	special allowane
				of Rs. 200.
2	Superintendents of Land Records			3 Salaryof grade plu
1	Registrar, Co-operative Credit Societies			special allow
	-			ance of Rs. 150
5	Assistant Collectors, first grade		٠.	900 (c)
Total . 84  Deduct - 6  Add + 8  Balance . 86	For posts listed as open to the Previncial Service For posts under the Government of India.	уя.		
	Inferior posts, i.e., posts about the lowest grade below the "superior" posts in order	of assistante, b	ref	
17	Assistant Collectors, first grade			900
. 18	Do, second ,,			700
Potal 35				
	Reserve poets, i.e., Arcietant Colle	clars.		400-500
				****
3	Reserve for temporary posts and for deputations	•		
361	Leave reserve.			
				1
361	Leave reserve.			١

 <sup>[</sup>a] Includes Remembrancer of Lagai Affairs.
 [b] Includes Collector of Shai Bermann, Collector of Bombay and Director of Agriculture and Co-operative Credit Studieties;
 [c) It has recently been proposed to make the pay of these five appointments to Re. 1,100.

#### A .- Indian Civil Service.]

APPENDIX VII-cont.

## LIST C.

#### BENGAL.

# Superior Posts in Order of Pay.

		Designation.			,	Pay of each.
				-		RH.
2	Members of Council					5,3334
4	High Court Judges					4,000
î	Member, Board of Revenu	16				3,750
ì	Chairman, Calcutta Corpor			- ::	- 7.1	3,500
î	Chief Secretary		•••	• • • • • • • • • • • • • • • • • • • •		3,3831
(a) 3	District and Sessions Judg		•••	•••		3,000
(2) 0	Chairman of the Calcutta		•••	•••		
5	Commissioners		••	••		3,000
				• •		2,9168
1	Inspector-General of Police			••	• • •	2,500-100-8,000
2	Secretaries		••	•••	**	2,750
(a) 18	District and Sessions Judg		**		** }	2,500
(b) 12			••			2,250
(a) 14	District and Sessions Judg					2,000
(b) 13	Magistrates and Collectors	, second grade	••			1,800
`` 1	Registrar, High Court	., .,				1,700
(b) 14	Magistrates and Collectors	third grade				1,500
(-) -1	Private Secretary to His E		000			1,500
i	Deputy Chairman, Calcutt					
•	Deligna Ontaring Concare	a corporation	• •	••	•••	1,500
alanes. 90						
2 17 17 17 36	Inferior posts (i.e., posts the "superior" posts to Under Secretaries Joint Magistrates Do.	rbove the lowest grade in order of pay, excludi Secretaryship).	of assista	ntz, but be uted Unde	low	1,000 900 700

<sup>(</sup>c) Includes Superinstendent and Rescendencer of Legal Affairs and three District and Sensions Judges for Assam.
(i) Includes Conscissions of Brains. Director of Lord Research, Director of Agriculture, two Secretaries to the Reard of Reness, Registers Co-operative. Credit Societies, three Settlement Officers and four Additional Magnitumes for Davas, Midwayar, Rachergong and Myrmoning.

[A.-Indian Civil Service.

APPRNDIX VII-ont.

LIST D. UNITED PROVINCES.

# Superior Posts in Order of Pay.

	Designation,				Pay of each.
					RS
1	Lieutenant-Governor				8,333 h
3	High Court Judges				4,000
1	Judicial Commissioner				3,500
2	Members, Board of Revenue				3,500
, 1	Additional Judicial Commissioner				3,3331
` 1	Chief Secretary				3,000
2	District and Sessions Judges, first grade		.,		3,000
9	Commissioners				2,916:
i	Inspector-General of Police				
î					2,500-100-3,000
î		**	**	•••	2,500-100-3,000
(a) 7			••	••	2,500
	District and Sessions Judges, second grade		.,		2,500
(b) 19	Magistrates and Collectors, first grade			••	2,250
(a) 6	District and Sessions Judges, third grade	••	**	••	2,250
10	District and Sessions Judges, fourth grade			••	I,8331
(b) 17	Magistrates and Collectors, second grade				1,8885
4	Deputy Commissioners, first grade				1,8333
3	District and Sessions Judges, fifth grade				1,666
(8) 10	Deputy Commissioners, second grade				1,666
. ` 1	Registrar, High Court				1,600
4	Settlement Officers			•••	
î	D				Salary of grad
1	Registrar, Co-operative Credit Societies	••		••	plus specia
1	Registrar, to-operative Credit Sociedes	• •	**		allowance o
					Rs. 150.
1	Superintendent, Dehra Dan	••			1,500
	Deputy Commissioner, Naini Tal .				1,500
	Assistant Judge	••			1,100
2	Deputy Commissioners of Garliwal and Almora				1,000
	n				
Deduct — 7 Add + 10 —	For posts listed as open to the Provincial Servic For posts under the Government of India.	ne.			
Deduct — 7 Add + 10		ie of ase	islants, bu	ı	
Deduct — 7 Add + 10 Balance 114	For josts under the Government of India.  Inferior posts, i.e., posts above the lowest gross below the "experior" posts in order	ie of ase	islants, bu		1,000
Deduct — 7 Add + 10 Balance 114	For josts under the Government of India.  Inferior posts, i.e., posts above the lowest ground the way and the second of the control of the co	ंट की बाह म की धूमा		,	
Deduct — 7 Add + 10 Balance 114	For josts under the Government of India.  Inferior posts, i.e., posts above the lowest ground the way and the second of the control of the co	ie of aus ar of pay	isiants, bu y. 		800
Deduct 7 Add + 10	For josta under the Government of India.  Inferior poils, i.e., posts above the leavest process below the "negative" posts in orde  Under Secretary Gotty Magistrate, Lucknow	ic of and			800 1,000
Deduct - 7	For posts under the Government of India.  Infarier posts, i.e., posts above the lowest ground below the 'acquerier' posts in ords Under Scorecharies Chty Magistrate, Inseknow Joint Magistrate, first grade	ic of and			1,000 1,000
Deduct - 7 Add + 10 Balancs . 114	For josts under the Government of India.  Inferior pods, i.a., pods above the lawset gross these the "apperior" pods in orde  Under Scowbargs  Under Scowbarg  Gott Magistrates, Incknow  Joint Magistrates, first grade  Assistant Commissioners, first grade	ic of and			1,000 1,000 800
Deduct - 7 Add + 10 Balancs . 114 2 2 1 1 14 6 1	For posts under the Government of India.  Infarier posts, i.e., posts above the lowest ground below the 'acquarier' posts in ards Under Scorectury City Magistrate, Incidence John Magistrate, first grade Assistant Commissioners, first grade Assistant Commissioners, first grade	ic of and		:	1,000 1,000 800 800
Deduct — 7 Add + 10 Balanca 114 2 1 14 6 1 20	For josts under the Government of India.  Inferior posts, i.a., posts above the lowest gross below the "apperior" posts in ords  Under Scoretories Under Sco	ic of and or of pay	,.  	:	1,000 1,000 800
Deduct - 7 Add + 10 Balancs . 114 2 2 1 1 14 6 1	For posts under the Government of India.  Infarier posts, i.e., posts above the lowest ground below the 'acquarier' posts in ards Under Scorectury City Magistrate, Incidence John Magistrate, first grade Assistant Commissioners, first grade Assistant Commissioners, first grade	ic of and or of pay			1,000 1,000 800 800
Add + 10 Balancs 114  2 1 1 14 6 1 20 1	For josts under the Government of India.  Inferior posts, i.a., posts above the lowest gross below the "apperior" posts in ords  Under Scoretories Under Sco	ic of ans			800 2,000 1,000 800 800 700
Deduct — 7 Add + 10 Balanca 114  2 1 14 6 1 20 1	For josts under the Government of India.  Inferior posts, i.a., posts above the lowest gross below the "apperior" posts in ords  Under Scoretories Under Sco	ic of ans			800 1,000 1,000 800 800 800 700
Deduct — 7 Add + 10 Balanca 114  2 1 14 6 1 20 1	For josts under the Government of India.  Inferior posts, i.a., posts above the lowest gross below the "apperior" posts in ords  Under Scoretories Under Sco	de of ene			800 2,000 1,000 800 800 700
Debut - 7   Add + 10	For posts under the Government of India.  Infarier posts, i.e., posts above the lowest gross to below the "argerier" posts in ards.  Under Scorecharia. City Magistrate, Incidence "India Scorechary" (City Magistrate, Incidence "Assistant Commissioners, Enst grade Assistant Commissioners, Enst grade Posts Magistrate, India Commissioner's Court  Resurse posts, i.e., Assistant Colle	it of any			800 1,000 1,000 800 800 800 700 Salary of grade.
Debut - 7   Add + 10	For josts under the Government of India.  Inferior goods, i.e., posts above the lowest gross below the "apperior" posts in ords Under Sceneburies Assistant Judge John Magdrates, smood grade Assistant Judge Registrar, Judicial Commissioner's Court  Reserve for temporary posts and for deputation	it of any			800 1,000 1,000 800 800 800 700 Salary of grade.
Debut - 7   Add + 10     Add + 10     Balancs 114     2     1     1     4     6     7     7     7     8     8     9     9     9     1     1     20     1     3     4     5     5     5     5     5     5     5     5     5     5     5     5     5     7     7     7     8     9	For josts under the Government of India.  Inferior pods, i.a., pods above the lawset gross below the 'apperior' pods in ords Under Scorebay (Score and Score and Scorebay (Score and Scorebay Cody Megistrate, Incknow Joint Magistrates, first grade Assistant Dudge Joint Magistrates, eround grade Registrar, Indiala Commissioner's Court  Reserve youts, i.a., Assistant Online Reserve youts, i.a., Assistant Online Reserve for temporary posts and for deputation Laws exserve.	it of any			800 1,000 1,000 800 800 800 700 Salary of grade.
Debut - 7   Add + 10	For josts under the Government of India.  Inferior goods, i.e., posts above the lowest gross below the "apperior" posts in ords Under Sceneburies Assistant Judge John Magdrates, smood grade Assistant Judge Registrar, Judicial Commissioner's Court  Reserve for temporary posts and for deputation	it of any			2,000 1,000 1,000 800 800 800 700 Salary of grade.
Debut - 7   Add + 10     Add + 10     Balancs 114     2     1     1     4     6     7     7     7     8     8     9     9     9     1     1     20     1     3     4     5     5     5     5     5     5     5     5     5     5     5     5     5     7     7     7     8     9	For josts under the Government of India.  Inferior pods, i.a., pods above the lawset gross below the 'apperior' pods in ords Under Scorebay (Score and Score and Scorebay (Score and Scorebay Cody Megistrate, Incknow Joint Magistrates, first grade Assistant Dudge Joint Magistrates, eround grade Registrar, Indiala Commissioner's Court  Reserve youts, i.a., Assistant Online Reserve youts, i.a., Assistant Online Reserve for temporary posts and for deputation Laws exserve.	it of any			2,000 1,000 1,000 800 800 800 700 Salary of grade.

<sup>(</sup>at Includes the Legal Resembrance).

Includes two Bovernies in the Board of Recenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excite.

# A,-Indian Civil Service.]

# APPENDIX VII-cont.

#### JAST E.

# PUNJAR (EXCLUDING THE NORTH-WEST FRONTIE: PROVINCE).

# Superior Pools in Order of Pay.

Number.	Besignation.					Pay of each.
	[					Its.
1	Lientenant-Governor					8,8834
î			٠			4,000
					٠.,	3,500
2						3,500
ī						8,000 ,
á						2,750
						2,750
3						2,500
5						2,250
(a) 10						2,250
8						1,800
(a) 11			.,			1,800
8						1,500
(a) 13						J,500
6	Settlement Officers					Salary of gra
ĭ	Registrar, Co-operative Gredit Societies		••			plus speci
•	Anginital, co-special to come consessor					allowance Rs. 150.
1	Senior Secretary to Financial Commission	1072				Salary of gra
i	Sentor Secretary to Emanoist Continuestor	fiars			٠.	subject to a min
						mum of Re, 1.2
	1					and a maximum
	Į					Rs. 1.800.
	T . S					Salary of gra
1	Junior Secretary to Financial Commission	DERES .			٠.	
	1					mum of Rs. 1.50
	:					and a minimum
	-					Rs. 1,000.
	Registrar, Chief Court				1	1,250
1	Registrar, Citiet Cottre	-			•••	1,200
otal 80					ì	
Deduct - 11	For posts listed as open to the Provincial	Service.				
Add + 7	For posts under the Government of India	L .				
_						
dance 76					- {	
	Inferior posts, i.e., yeste oleos the low below the "superior" poets in order Under Secretaryship	of pay (	of assista excluding	nts, but one		
2	Under Secretaries					1.000
14					1	900
		-			::	700
	f .			- '	ĺ	•
otal 31						
otal 31	Reure port, i.e., Anidast Commissi	ustre of ti	he lowest	grade.		400500
	1		he lowest	grade.		400500
. 3	Reserve for temporary posts and for dep		he lowest	grade.	-	400-500
· 3	Reserve for temporary posts and for dep Leave tessive.		he lowest	grade.	-	400500
· 3	Reserve for temporary posts and for dep		ie lowest	grade.	-	400500
· 3	Reserve for temporary posts and for dep Leave teserve. Training reserve.		he lowest	grade.	-	· 400500

<sup>(</sup>c) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phalkian States.

# [A,-Indian Civil Service.

# APPENDIX VII-cont.

LIST P.

BUBMA.

Superior Pasts in Order of Pass.

Number.	Designation.	Psy of each.
. 1		ks.
1		8,838
1		4,000
1	Judge, Chief Court	. 3,500
1		3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	- 2,500 (a)
I		- 2,400 (d)
. 2	Divisional Judges, 2nd grade	2,250
(c) 12	Dec. 4 Commissioners Sat. 13.	2,250
1		2,250 (b)
1	C	2,250 (8)
2	Divisional Judges, 3rd grade	1 1000
(e) 18	Deputy Commissioners, 2nd grade	
(7) =-	Definition Training	1.500
(e) 15	Dennis Commissioner 2rd and -	1.500
(1)	Donate Dispotes of Land Donada	1,600 (8)
î		1,500 (8)
î	Position Object Coast	1,400 (8)
6	Catilan and Affican	
ĭ	P-11 0	. Salary of grade
,	Logistrar, Co-operative Creat Sectories	-   falss special allowance of
		Rs. 150.
Total \$30 Deduct 5 Add + 6 Balance \$4	For posts listed as open to the Provincial Service, Ror posts under the Government of India.	
	Inferior posts, i.e., posts above the lowest grade of anxistents but below the "superior" posts in order of pay.	
11	Assistant Commissioners, 1st oracle	1 000
		1,000
13 10		700 600
10	Assistant Commissioners, 3rd grade	-   500
Total 34		
Total 34		<u> </u>
	Reserve posts, i.e., Assistant Commissioners of the 4th grads.	450500
3	Reserve for temporary posts and for deputations,	1
a 35	Leave reserve.	Į
13		1
10	Training reserve.	
Total . 51		1
Town Di		1

(a) Maximum nitry including a lord allowance of En. 250 a month.

(b) Maximum nitry including a lord allowance of En. 250 a month.

(c) Maximum nitry including a lord allowance of En. 260, En. 260, En. 260 and En. 260, respectively.

(c) Included Sequentineation of Sills Soft allowance of Go. 260, and Commissioner of Backse, the latter officer drawing of paths play a lord allowance of En. 260, and the analysis.

(c) Maximum subary including a lord allowance of En. 160 a maximum.

# A.-Indian Civil Service.]

APPENDIX VII-cont.

# LIST G.

#### BIHAR AND ORISSA.

# Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
1 2 2 1 1 1 (a) 5 (b) 9 (a) 5 (b) 10 (b) 10	Lisatenant-Governor Members of Council High Coart Judges Members, Hourt of Revanae Members, Hourt of Revanae Members, Hourt of Revanae Olidi Socretary District and Sessions Judges, 1st grade Commissioners Impessor-General of Pulice District and Sessions Judges, 2nd.grade Magistrates and Collectors, the grade District and Sessions Judges, 9nd.grade Magistrates and Collectors, 2nd grade	ns. 8,883† 6,000 4,000 3,500 3,000 2,916‡ 2,600—100—3,000 2,260 2,000 1,800 1,500
Add + 5	For posta listed as open to the Provincial Service. For posta under the Government of Lidis. On which retruitment is based.	
	Inferior gusts, i.e., posts above the lowest grade of casistants but below its "superior" gusts (including one littled Under Secre- tory) in order of pay.	
10 10 Total 22	Joint Magistretes, 1st grade	1,000 . 900 700
	Recerve goste, i.e., Assistant Magietrates.	400-500
2 221 81 Total 33	Reserve for temporary posts and for deputations. Leave reserve. Training reserve.	

<sup>(</sup>c) Includes Superintendent and Rememberators of Legal Affairs and Judicial Commissioner, Chola-Naggur, (d) Includes two Secretaries to Government, and Directors of Land Records and Agraculture, Commissioner of Engine, Septiment Co-operation Could Socioles, two Softwaren Others and Political Offices, Credition Offices, Commissioner of Engine

# [A.-Indian Civil Service.

#### APPENDIX VII-cont.

LIST H. CENTRAL PROVINCES AND BERAR. Superior Posts in Order of Pay.

		1.		-	Pay of each,
	· Central Provin	nt.			B8.
1	Chief Commissioner				5,1665 3,500
i	T 14 / 1 / 0 / 4 /				3,500
1	Additional Judicial Commissioner			**	3,000
1	Second Additional Judicial Commission				2,750
8	A 1.1	er		. 1	2,750
2	O T T T T T T T T T T T T T T T T T T T		••		2,500
í					2,500
	Senior Divisional Judge				2,250
(a) 8	Deputy Commissioners, 1st class		••	** 1	1,800
(a) 12	Do. 2nd chase				
(a) 14	Do. 3rd class				1,500
4	Settlement Officers			[]	Salary of grade
ī	Director of Agriculture			.:: }	plus special
i	Registrar, Co-operative Credit Societies			- ! !	allowance of
-	Trod interf. to about the cream concentration			P	Rs. 150.
		ment areads of an			
6	Inferior posts, i.e., posts above the lot below the "superior" posts Assistant Commissioners, 1st grade	in order of pag	netante but y.		900
6	below the "coperior" poet  Assistant Commissioners, 1st grade	s in order of pay	,. 	::	900 - 700
Total . 19	below the "superior" post	in order of pag	recently b	een	
Total 19	Assistant Commissioners, 1st grade Assistant Commissioners, 2nd grade Note.—There is a defect of one proposed to correct the posts as follows:— Assistant Commissioners, 1st grade	in order of pag	recently b	een 20	900
Total 19	Assistant Commissioners, 1st grade Assistant Commissioners, 2nd grade Note.—There is a defect of one proposed to correct the posts as follows:— Assistant Commissioners, 1st grade	post. It has defeat and to	recentiy by grade the	een 20	900

<sup>(</sup>a) Inducios Chief Secretary, Secretary, Political Apart of Chieftigrath, Commissioner of Excise, Commissioner of Secretary, Secretary, Political Apart of Chief Commissioner, the Directional Sections Judges, and one Secretary to the Oblit Commissioner. The Impediar-General of Police draws a local allowance of Ex. 439 oxigint to a maximum salary of Ex. 430 oxigint to a maximum salary of Ex. 430 oxigint.

#### A .- Indian Civil Service.]

#### APPENDIX VII-cont.

# LIST I. Assam.

# Superior Posts in Order of Pay.

Humber.	Design	dion.			Ì	Pay of each.
					·	Ra.
1	Chief Commissioner		.,			5,166
2	Commissioners					2,750
(a) 6	Deputy Commissioners, 1st grade			**		2,250
(a) 7	Deputy Commissioners, 2nd grade	••		**		1,800
(a) 6	Deputy Commissioners, 3rd grade	••	••			1,500
Potal . 22 Deduct Nil.	For posts listed as open to the Provi For posts under the Government of	incial serv	rice.			
Add + 2	For bosts numer one development of	LIIULIII.				
Salance 24					1	
	Inferior posts, i.e., posts above to but below the "superior"	the lousest ' poets in c	grade of s order of p	azistants ay.		
2	Under Secretaries					1,000
4	Joint Magistrates, 1st grade					900
8	Joint Magistrates, 2nd grade		••			700
-						
fotal 9	1				1	
	Reserve posts, i.e., As	nistant Mi	gistrate.			400500
1 10	Reserve for temporary posts and for Leave reserve.					
4	Training reserve.				- 1	
-						
Potal 15	1				1.1	

(a) Includes Superintendral of Leulai Hills; Commissioner of Excise, Inspector-General of Registration and Registrat of Co-operative Credit Scientise; Pircedor of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Policy; one Settlement Officer; and Political Agent, Manipur.

	MST J.	
	Superior Posts under the Government of India.	
Number.	Designation.	Pay of each.
		EF.
3	Members of Council	. 6,666
1		4,000
i	Deputy Secretary	2,000
1	Director, Criminal Intelligence	8,000
1	Superintendent of Port Blair.	2,500-3,000
	Finance Department—	miner. olesc
1	Socretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
i		8,500_4_5003
	Accountants General	2,259 - 2,750
		1,100-1,800
	Foreign Department—	1,100-1,000
	Petralary	4,000
j		2,258
21	Political Officers	1,100-4,000
	Legislative Department—	1,100-1,000
1	Secretary or Deputy Scorptary	3.0003.500
	training or repair total and the second seco	2,050
	Department of Revenue and Agriculture-	2,000
		4,000
	Department of Commerce and Industry—	1,000
	Secretary	4,000
	Director-General of Posts and Telegraphs	3,000-3,500
	Portugatem-General	1,600-1,760
		1,750-2,000
	1	2,250-2,500
	Commissioner, Northern India Salt Bevenne	2,200-2,500
		2,500
		3,000
	September Collection of Control	2,0502,500
	Department of Education-	1,150-1,460
	1 Secondary	
		3,000
Total !	8 1	
	1	

#### IA.-Indian Civil Service

#### APPENDIX VII-cont.

#### BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCES and PROVINCES the actual Strength of the INDIAN CIVIL SERVING CARES, as it should not let July 1812, compared with the strength at which it should have stond on the same date in accordance with the sendicioned calculations.

Provinces.					Sanctioned strength.	Actual stren	Number of efficut over (+) or unde ( - ) strength.		
	1				2		4		
Madras Rembay Bengal United Province Punjab Burma Bihar and Oriss Central Province Assam			::	::	175 173 183 231 164 169 109 99	Civilians 162 (c) Military 29 (c) Givilians 126 Military 49 Civilians 39 Military 9	173 176 (a) 174 (b) 237 (c) 191 175 107 (f) 104 (g) 18	- 2 + 3 + 6 + 37 + 6 - 2 + 5	
			Total		1,841	}	1,385	+ 44	

<sup>(</sup>a) Excluding Sir B. Bohertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. O. Melse of the Stad Commission.

<sup>(</sup>b) Excluding Meeres. Nathan and Ballett, who have been temperarily lent by Bihar and Oriesa to Bengal and have been included in the Bihar and Oriesa codre.

<sup>(</sup>c) Including Sir H. Batler, who has not been numbered in the Civil List, but excluding Meers. W. Alder and T. K. Johnston, who have been temperarily transferred to, and included in, the Bengal cadra.

<sup>(4)</sup> Including Means. O'Doyer, Loriner, Barton, Grant, Bennin, Johnston, Ghary, Pipon, Bolton, Penn, Jeff Howell, Elli, Oppishad, Fasar, Fliepatich, Laffane, serring in the Political Dispartment under the footwarment of Intia in the North-West Product Pervious, and Hassen, Eney and Quist, asks serving under the Government of India in the Political Dispartment in Educations, and exhabiting Means. Cowan, Macanir and Assot, surring in Bengul, where they have been included, and Microtic, serving in Sana, in which has been block included.

<sup>(</sup>c) Including Licetonant-Colonel Rawlincon, Mr. 5. S. Donald, Major Blakeway, Licetonant-Colonel Sir G. Rose-Reppel and Captain Keso, serving in the Political Department under the Government of India in the North-West Frontier Province.

<sup>(</sup>f) Encluding the lata Mr. Shettle.
(j) Including Sir R. Robetten, who permanently belongs to the Created Provinces, but has been wrongly custiful from the Uril Lieb, but conducing Means. Crewbord (serving in Hilber and Urina, where he has been included), and Lidden (serving in Renga), in which he has been included), and three Indian members of the Behar Commission who have been retained as holding posts corresponding to three listed pools.

#### A.-Indian Civil Service.]

# APPENDIX VIII.

CO.

							- ,	
	,	Madras.		Bombay.		Bengal.	Unit	ed Provinces.
Nature of pusis.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
Licutement-Governors and		18.		ge. 		78. 	1	ns. 8,388
Chief Commissioners.  Members of Conneils  Judges of High or Chief	2	6,383} 4,500	2	5,883 <u>1</u> 4,000	2 4	6,233 <u>}</u> 4,000		. 4,000
Courts.  Boards of Revenue or Financial Commis- sioners.	} 4 {	(1) 3,789 (1) 3,509 (2) 3,909	}		1	3,750	2	3,500
Commissioners of Divi- sions and others of same rank.	} '		6 {	(1) 3,750 (3) 8,600 (2) 3,000	} 5	2,916}	10 {	(9) 2,9163 (1) 2,600
Semetaries to Government	3 {	(1) 8,750 (1) 8,125 (1) 2,560	3 {	(1) 3,750 (2) 3,600 (1) 2,760 (1) 3,125 (1) 2,500	3[	(1) 8,333 (2) 2,750	] 1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,600-1,800					•	
Judicial Commissioners	·		2{	(1) 3,600 (1) 2,750	}		· 2 {	(1) 3,500 (1) 3,3333
District and Sessions Judges or Divisional Judges and District Judges.	22 {	(2) 3,066 (7) 2,566 (7) 2,286 (6) 2,000	18	(2) 2,500 (6) 2,925 (9) 1,600	80 {	(3) 3,000 (18) 2,600 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,882 (8) 1,666
Collectors or Deputy Commissioners.	27 {	(7) 2,500 (14) 2,259 (6) 1,809	29{	(18) 2,326 (15) 1,800 (1) 1,800	39.	(12) 5,250 (13) 1,800 (14) 1,500	£4<	(19) 2,260° (21) 1,8334 (10) 1,6663° (2) 1,600° (2) 1,000°
Political officers Miscellianeous posts	(a) 4	3,800 (1) 2,500-2,000 (1) 1,800-2,600 (1) 1,500-1,800 (1) 1,400	(a) e	(1) 2,509-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100	(e) 8{	(1) 8,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,800	(d) 4	(2) 2,500-3,000 (1) 1,690 (1) 1,100
Under Secretaries to Government.	3	1,000	2	1,250	3	1,600	3 {	(2) . 1,000 (1) 800
Joint Magistrates or Assistant Commission- ers, let grade.	20	1,200			-		-	**
Joint Magistrates or Assistant Commission- ers, 2nd (1st) grade.	16	900	17	990	17	900	22 {	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assist- ant Commissioners, Ard	16	700	28	700	17	760	20	103
(2nd) grade. Joint Magistrates or Assistant Commissioners, 4th					-			
(3rd) grade. Assistant Collectors or Commissioners.	63	400-500	57	400-500	56	460—560	71	400-500
Appointments which do not carry fixed pay and the mary of which depends on the position of their holders.			5				7	
	-						1	

<sup>171</sup> 

182

Total ..

<sup>(</sup>d) Impedies-Genard el Polio, Commissione el Cong, Registar el High Court and Private Secretary to Gevernor.

(f) Impedies-Genard el Polio, Registar el High Court, Private Secretary to Gevernor, Australia Legal Rependencere, Ansistan to Cord. Private Secretary to Gevernor.

(d) Chairman of Christic Corporation. Calman at Globalta Imprevensed Prat, Impedies-Genard el Polio, Registrar el High Court, Private Secretary to Genume and Regardy Chrisman of Choetal Corporation.

(e) Impedies-Genard el Polio, Opina Agent, Registrar el High Court and Assistant Judge.

(f) Indiado City Registrat el Incheme.

# [A.—Indian Civil Service.

# APPENDIX VIII.

CC.

	Punjab.		Borns.	Bib	ar and Oritisa.	Cent	ral Provinces nd Benar.	Assam.		
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	
1	вя. 8,333§	1	35. 8,232}	1	25. 8,333 <sup>2</sup>	1	ns. 6,1663	1	118. 5,166§	
	(1) 4,000 (2) 3,500	}	(1) 4,000 (1) 3,500	3 2	5,000 4,000					
2	3,500	1	3,500	1	3,500	1	3,500			
} [	2,760	9	2,750	5	2,916]	5{	(8) 2,750 (1) 2,500	] 2	2,760	
1{	3,600	1	3,000	1	3,666					
2 {	(1) 1,200-1,800 (1) 1,000-1,500	}								
		1	3,500			3 {	(1) 3,500 (1; 3,000 (1) 2,759	}		
94	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,890 (8; 1,500	14 {	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12 {	(2) 3.000 (5) 2,500 (5) 2,000	}1 `	2,500	ທ		
24 {	(10) 2,250 (11) 1,800 (13) 1,500	49 {	(13) 2,250 (13) 1,800 (15) 1,500	29 {	(9) 2,250 -{10; 1,800 (10) 1,500	34(1)	(8) 2,250 (12) 1,800 (14) 1,500	} 19 {	(6) 2,250 (7) 1,800 (6) 1,600	
				٠,						
(y) 1	1,250			1 (8)	2,5193,000					
}2	1,000			2	1,000			2	1,000	
				٠.						
} 16	900	11	1,000	10	500	6	900	+	100	
15	700	18	. 700	10	700	18	700	3	700	
		10	600							
` 47	400-500	51	450-500	33	400~500	31	490500	15	400-Leo	
7		14		-		6				
İ										
158	,.	168		169		101		46	:-	

<sup>(</sup>c) Registrar of Chief Court.
(d) Inspector-General of Folice.
(d) Inspector-General of Folice.
(d) Infector Divisional Judges except the Senior Divisional Judge.
(j) Three District and Senions Judges are graded with the Sengal catre.

# A.—Indian Civil Service.]

APPENDIX VIII-cont

an Ci	yil S	ervice.]										
	9	Appaintments in the grades of No. 600 and over but below Rs. 700.	Por- centago,	200-4	61.0	52.5	62.8	61-8	71.8	62.5	62	68.8
	tors an	Appaint in the g Na. 60 over bu	Š.	63	22	20	7	4	5	83	31	15
	int Collecting	Appointments in the grades of Re. 700 and over but below Re. 900.	Per- centage.	16.3	10.0	18.9	88.8	19.8	16.3	18.9	58	13.0
	Amel	Appoint the Re. 7 over by	Š	18	18	1	27	12	2	2	13	63
	Joint Blagistrates, Assistant Collectors and Assistant Commissioners.	Appointments Appointments in the grades of it fa. 500 and 78. 700 and over that blow over that blow over 1500.	Per-	76	18.0	18.8	13.3	18.4	12.9	13.0	2	18:1
	oint Ef	A ppai fr the fr. fr. ga. Ba.	ž	80	12	11	16	2	=	å	•	•
	'n	Total number of appoint-	ments,	105	8	6	118+	20	8.6	. 89	9	22
	onal	Appointments in the grades of Re. 1,500 and over but loss than Re. 1,800.	Por-	:	:	:	10-7	33.3	1.20	:	:	:
	Divig		ė,	:	:	:	8		8	:	:	:
	District and Ressions Judges, including Divisional	Appointments in the grades of in the grades of in 1,800 and over but less than Ha. 2,250.	Per- centage.	87.8	99	46.7	36.7	36	14.3	41.3	:	:
	udges,	Appoint the Re. 1, over thum F	Š.		a.	<b>ż</b>	2	0	84	4	:	
.D.	Ressions Judges, inclu-	Appointments in the grades of Br. 2,260 and	Per-	7-2-7	99	63.3	63+6	4.4	58.6	58.3	100	:
	let and	Appo fin the Si. 2	ģ	92	6	91	91	°	4	7	-	:
DD.	Distr	Total number of appoint		ä	18	30	28	ŧ	2	13	-	:
-		Appointments Rs. 1,500 and over but less than Rs. 1,800.	Per- centage.	:	3.6	36.9	26.9	38-2	37.6	34.6	41.5	91.6
	emen.	_ = -	No.	:	-	Ξ	**	18	12	2	2	ō,
	Commissi	Appointments to the grades of Rs. 1,800 and ever but less than Rs. 2,260.	Per- contago.	232-2	61-7	33.3	38.0	82.3	32.6	9.76	36.3	36.8
	oputy		No.	۰	91	13	5	=	13	ş	12	2
	refors or I	Appointments in the grades of it. 2,260 and ever.	Por-	77.8	44.8	30.8	36.3	29.6	30	91.0	33.2	31.6
	Coll	H. P.	No.	g	13	12	61	2	12	a		6
Collectors or Dopaty Commissioners.		Total number of	Honts.	27	ĝ	89	9.6	*	ş	62	ŧ	10
				:	:	:	:	:	:	:	.;	:
		rovince.		:	:	;	:,	:		:	ernr	:
		oy or P		:	:	:	:	:	:	:	and B	•
		Presidency or Province.		:	:	:	United Provinces	;	:	Bihar and Orina	Control Provinces and Berny	:
				Modras	Rembny	Bongal	Unfted	Punjub	Burma	Bihara	Control	Annata

Includes two bill Deputy Commissionerships which early n pay of Re. 1,000 each on account of their amenities.
 Includes City Magistrate, Lacknow, and on Assistant Indge on Re. 800.

[A.-Provincial Civil Service.

### APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1055, dated Simla, the 19th August 1910.

The Governor General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their Report on the subject of framing rules Commission on necessarisms are use the to garagraph to our sum represent on support of transact parts for the recruitment of provincial services. The majority of the Commission consider it unanessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of the Covernment could be directly only the commission of the Government checked be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

so bassed.

2. In the present Resolution the Governor General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other proteined services will be separately considered.

3. The present spacers, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to to accept in substance the recommendation of the Decontralisation Commission, and is pleased accordingly to immera. Lead Corremments with the power to make rules for the recruitment of the provincial crit services without the previous scatching of the Provincial crit services without the previous scatching of the Correlations which subject to their general control. The general control, the conditions which should govern such recruitment have been already fully considered in connection with the implicities make by the "Native Service Commission, and the Governor General in Connell, upon a further consideration of the Native Service Commission, and the Governor General in Connell, upon a further consideration of the Native Service Commission, and the Governor General in Connell, upon a further consideration of the Native Service of the Miller Service Commission, and the Connell Conne

other, to secure the due representation in the public service of the different classes of the

community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence-

(c) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleadors appointed to the judicial branch; these excepted cases will be governed by article 51 of the Givil Service Regulations;

the Cril Berries Regulations; (b) that he has stationed a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local staministration permit. In particular, qualification in one or more of the swranceinra languages of the province in which he is to be employed it to be insisted on. The remarkout standard though be a high one, involving a thereto providing of the transmitter standard though be a high one, involving a thereto the condition of the control of the condition o

(c) that he is of sound health, good physique, and active habits; and (d) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment.

provided they are qualified in other respects.

Y. Admission to the provincial civil service should usually be confined to persons who are natives of imission to the provincial writ services somica usuary of comment to presons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least times years in the province should, as a general rit, be an essential condition of admission. No Barrister, Advects, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. European who are not statistical matters of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The Local Government should reserve to teller the right to make promotion to the superior grades

VII. The Local Government should reserve to itself the right to make promotion to the superior grades of the properior of the superior grades of the properior of the superior without regard to seniority, and evaluate these should not give a claim to appointment to the grade of its, 500 a month and higher grades on the state power in very special cases to usual direct appointments to effect with the figher grades of the provincial circl services, and whoover the fortenment of India exercises his power in the case of piction officers, it will be confined to Instructs, Activative, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than tan paras and have a thorough knowledge of the exercise of their profession for not less than tan paras and have a thorough knowledge of the exercise of their profession for not less than tan paras and have a thorough knowledge of the exercise of their profession for not less than tan paras and have a thorough knowledge of the exercise of their profession for not less than tan paras and have a thorough provided part of the should be forthwith communicated to the foremented in this in the Homo Department, in order that they may be in a position to exercise effective general control. His Excellence place that the description is the state of the provided part of the description of the provided of the published by the local Governments and Administrations as part of the provided the published by the local Governments and Administrations as parts.

moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

 Madras. Bombay. Bengal, United Provinces

Burg.s. Eastern Eengal and

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments \* and Depart-ments of the Government of India 1 noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

Public Werks. † Foreign. Revenue and Agriculture. Commerce and Industry.

A. EARLE, Offg. Secretary to the Government of India,

# A .- Provincial Civil Service.]

#### APPENDIX B.

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<sup>(</sup>a) This grate is common to both the Judicial and Executive branches.

(3) The Subscributed Judges and Manufic employed in Justine was included in the Bingal calve, and both that cords and

(3) The Subscributed Judges and Manufic employed in Justine was been proposed by the Calculia High Court. This

contracts is considerable in a conscriber with the recent lectrification of the Subscriber in the Subscriber in the Calculia High Court. This

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# QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

#### INDIAN CIVIL SERVICE.

 What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations

would you suggest?

3. Is the system equally suitable for the admission of "Natives of India." and of other naturalborn subjects of His Majesty ? - If not, what alteration do you recommend?

The term "Natives of India" has been defined in section 6 of the Gererament of India &ct, 1870 (33 Vict., c. 3), as in-thing any praces been and domicilial within the Dominious of His Majesty in India, of parents habitually resistent in India and not established there for two purary purposes only, and the term is a send throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination

to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations

in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadra by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If

you favour such a scheme, which proportion do you recommend to group on province in Junior I month I may no favour such as the scheme, which proportion do you recommend in Junior I may not for the proportion of of any special many within fraction of mass soult of sections in fault on anticeson, to be Latina (Crill Service by messas of (a) nonlination, (b) combined nonlinations and examination, or (c) my other method? If so, describe July what system you would recommend. In particular do you consider it desgrable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for

appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if

promoting to listed poets officers of the Provincial Civil Service? If the former, what afteration, if any, would you recommend in the conditions governing the Provincial Civil Service? 11. Do you recommend any separate method of recruitment for the judicial branch of the Ludian Civil Service? If the, please describe the system with you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India." in section 6 of the Government of India Act, 1870 (38 Yest, a. 3), as including "any person born "and dominical within the Doubliness of His Majesty in India," of present habitually resident in "India, and not established there for temporary purposes only," irrespective of whether such persons are of manifest Clarifical Services, or of mixed European and Indian descent, or of unived European descent of the mixed European descent. If not, state fully any proposed that you wish to make in regard to this matter.

18. If the vector of versitiones the conscibility examination in Bonkala is retained, state

13. If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?

age inting for resulties or rains, and one consequence of the authorised syllabus of subjects and marks presembed for the open competitive examination? 17. Is any differentiation in the achieves for the open competitive examination in England

desirable between candidates who are Natives of India and other candidates? If so, state them and

give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? 19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher pasts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service endre do you consider that Natives of India might under present

conditions properly be admitted? •Snattons property be admitted?
20. Do you assept as generally estifiated by in principle the present system under which Natives
20. Do you assept as generally estifiated by its Service early partly through the medium of an of India are recruited for posts in the Indian Civil Service early partly through the medium of an open compositive examination in Registant, and supply the precise arrangement in Indians? under the Statute of 1870 should be reviewed, and if so, what method of recruitment would you recomment?

# B .- Indian and Provincial Civil Services.]

22. If the system of recruiting military officers in India for posts in the Indian Civil Serviceeadro has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what. extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers.

or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of 25. Are you satisfied with the present rule when present the provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than, numbers of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter-

of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?
28. Please add such remarks as you may desire to offer on any points relating to the system of

recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

29. Do you consider that candidates recruited for the Indian Civil Service by open competitiveexamination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period he, and what course of study should be-

prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty P If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-

born subjects of His Majesty ?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of

service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change

should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian lan-guages possessed by members of the Indian Civil Service? If so, what are the causes? Are you. satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommenda-

tions applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between

members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend. 41. If you have recommended the introduction of any scheme of direct recruitment in India for

Natires of India, whether in lies of, or supplementary to, the system of recruitment in England, please state what system of probables and training our recommend for one are recruitment. 22. It may differentiation sensors y in vegent to the probables and training differentiation sensors y in vegent to the probable and training of temporary of the Indian Offrii Cervice who are Natires of Indian Sebrevan pressure of mainted Indian decent, of mixed European decent? If so, please state your 43. Please add such remarks as you may desire to offer on any points relating to the probation

and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorised for the various grades of the Indian 1911. To you consider that the exchange compensation ellowance introduced in 1898, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions?

Should such abolition apply to officers already employed or be restricted to future entrants? 46. If abolition is recommended with compensation in the form of increased salaries, what is

your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? not, what rates do you suggest for the various grades of the Service?

#### [B.—Indian and Provincial Civil Services.

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider

that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable? 50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

# PROVINCIAL CIVIL SERVICE.

 Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.\* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your

Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

A. Pay one statisfied with the existing arrangements for the training and probation of officers appointed to the Provincial CIVI Service? If not, please state your objections, and what other

arrangements you recommend.

56. Do you consider that the numbers of officers authorised for the various grades of your

Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the efficers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what

would you suggest?
59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications

sadan to sagueste of a consideration of an derin beassary or securiously an observa quantization in the officers appointed? If not, what principle do you recommend?

O. Are the existing rates of pay and grading in the Provinced (Vivil Service of your Province adequate to secore the desired qualifications in the officers appointed? If not, what alternations do you

recommend?

- 61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service 2 II not, what rates do you suggest for the various appointments?
- 62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?
- 63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds P

64. Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

<sup>\*</sup> Fide page xxxiii,

# MINUTES OF EVIDENCE

TAKEN BEFORE THE

## ROYAL COMMISSION

ON THE

# PUBLIC SERVICES IN INDIA.

At Bombay.

Saturday, 1st March 1913.

### TWENTY-FOURTH DAY.

### PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, R.C.M.G., D.S.O. (Chairmen).

THE BARL OF RONALDSHAY, M.P.
SIE MUSERY HAMBERS, R.G.S.T., C.LE.
SIE TRICODER MORISON, R.C.LE.
SIE VALENTINE CHIEGE.
MAILDEY BIASKAR GHAUBAL, ESQ., C.S.I.
AABDUR BLUULU, ESQ.

And the following Assistant Commissioners:

Joseph John Heaton, Esq., 1.08., Judge of the High Court of Judicature.

Bombay.

GOFAL KEISUNA GOKHALD, PSq., O.LE. WAITER CELLEY MIDGE, PSq., c.LE. FRANK GEORGE SLY, ESq., c.K.L. HEBBERT ALBERT LABBERS FISHER ESq. JAMES RAMSAY MICHONALD, N-q., M.P.

Ráo Bahádur RAUCHANDRA NABAYAN JOOLDKAR, Assistant to Commissioner, Central Division, Poona. RAGHUNATH GANGADHAN BHADDHADE, Esq., Judge of Small Cathe Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.LE. (doint Secretary).

Sir Basu, Scorr, At., Chief Justice, High Court of Judicature, Bomboy.

Written answers relating to the Indian Civil Service.

25896 (1). What is your experience of the working of the present-system of recruitment by open compositive examination for the Indian Givil Service? Do you accept it as generally satisfactory in principle?—My experience dates from 1885 as a member of the Rembuy Bar and from 1899 as an official, Advocate General or Chief Justice. I accept the system of recruitment by competitive examination in England as generally satisfactory in principle.

25:97 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Minjesty? If not, what alteration do you recommend I—I do not think the system equally suitable for the admission of Natives of India.

25898 (7). What is your opinion regarding a system of simultaneous examination in Iudia

and in England, open in both cases to all natural-born subjects of His Wajesty?—I am opposed to any system of simultaneous examinations,

25900 (23). Do you consider it necessary that certain post should be received by statute for olders recented to the Irabia Circl Service and if 80, what posts and for what research Please state in detail what siterations (G may) you recommend in the Schieble of the Indian Circl Service Act 1581 (24 and 25 Viet. c. 5). [24 and 25 Viet. c. 5]. [Attention is invited to the provisions of the Indian Circl Service Act 1581 (24 and 25 Viet. c. 54), and of the Government of India Act. 1570 (33) (34: c. 5), reproduced as Approximes II and III, to these questions [2—I consider that not less than three judgeships in the Bonaby High Court should be received by statute as is at present the case under the High Courts Act for officers recuited from the Indian Circl Service, (a) Decause their experience in the

Districts makes them valuable colleagues on Appellate Benches trying civil and criminal appeals from the districts, and (iii) because their extreeneon renders them of great assistance in dealing with the onany questions which arise in connection with judicial administration in the districts. In order to provide the High Court with a supply of judges from the Indian Civil Service it is necessary to reserve a considerable mather of District and Sessions Judgeships for

that service. 25900 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service, as I consider it very advantageous for officers who eventually enter the Judicial Branch to commence their Indian career with a certain amount of executive work ; I would, however, make it impossible for an officer of over 10 years' standing to obtain a transfer from the Revenue to the Judicial Branch. After an officer has been transferred to the Judicial Branch he should be given an opportunity of proceeding to England to read for a year in the chamber of a practising Barrister, as he would thus be put in the way of acquiring a habit of looking at cases from the point of view of those who plead before him and would have a better chance of getting on equal terms with his Bar. The Legal Adviser at the India Office might keep a list of barristers in good practice who could be recommended to judicial officers desirous of studying practice of the law. I attach little importance to the course for the call to the Bar.

25001 (66). Do you recommend any special training in subordinate judicial posts for officers scalected for the judicial posts for officers scalected for the judicial branch? If so, please give details?—No member of the Indian Givil Service should be allowed to sit in a Session Court as a Judge without some experience in the trial of original civil cases. This is the rule economicated by the Benthary Bijch Court, and we believe generally followed by the Government.

Written auswers relating to the Provincial Civil Service.

25002 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily

filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The listed posts of District and Sessions Judge demand more aptitude in the disposal of criminal than of civil work. Natives of India unless they have had special experience of criminal work are better suited for the trial of civil than criminal cases. There are many good civil judges in the subordinate judicial service, but the failure of Natives of India as criminal judges has often been noticed. It is not, however, impossible to find men of the requisite capacity amongst the Natives of India, but they are not usually discovered by competitive examinations. The best training available in India for Natives of India to qualify them for the post of Sessions Judge is the work of public prosecutor in some important district court, man who has risen to a position at the local Bar which wins him the appointment of public presentor has gone through an amount of conflict such as is likely to have developed a certain practical efficiency and strength of character, and when to this is added experience in the responsible work of placing before the Court with proper impartiality as the representative of the Government the evidence available against accused persons, the probabilities are that men of this class will prove good criminal odges. The objection to recruiting for listed Sessions Judgeships solely from the class of Public Prosecutors is that the Subordinate Civil Judges would be shut out from the highest posts to which the most fortunate might now attain. It should, I think, be recognised that the practical absorption of the District and Sessions Judge in criminal work involves the devolution of a Jarge quantity of the civil work of his office upon First Class Subordinate Judges with appellate powers. These officers should receive pay proportionate to the importance of the work they are called upon to discharge, which is at present far from being the case. If the pay of these officers were raised substantially, there should be no complaint on the score of listed judgeships falling generally to practising pleaders.

25903 (2). Please supply a copy of the Rules for the resultiment of the Provincial Civil Service in force in your Province. Are these rules satisfied, or have your any recommendations to make for their alteration —I think that in Rule VIII of the Bonishay Provincial rules the qualifications (4), (c), (d), and (c) should be deleted.

Sir Basil Scott, called and examined.

25904. (Chairman.) You are the Chief Justice of the High Court of Judicature of Bombay?—I am.

Bombay?—I am.
25095. You do not think that the present system of entering the Indian Civil Service is equally suitable for the admission of 'Natives

of India'?—Yes. Of course, I am only speaking of the Judicial Service.

25906. Could you kindly elaborate that answer and tell us what remedy you propose?— I think you will find I have suggested a remedy in my answer to question (19) in the Provincial

series of questions, and that answer represents my yiews. I think that officers holding District and Sessions Judgeships should be selected as far as possible from the local Bars, from pleaders. think you get better judges from Natives of India if you select them from among the pleaders, particularly the Government preaders or public prosecutors, than if they are selected in the present way.

25907. Do you consider that a period spent in the Executive Branch is of benefit to an officer who subsequently joins the Judicial

Branch ?- Yes, distinctly.

25908. After what period of general service do you think it desirable that officers should ioin the Judicial Branch ?- About eight years.

25909. Do you recommend that officers should have some practical experience of the trial of Civil suits before they go to lingland on study leave, assuming that a system of study leave is introduced? - No. I think if study leave is introduced it would be better they should have their study before taking up Civil work.

25910. Do you think it would be convenient to combine study leave with furlough?-

I think it would.

What allowance, if any, would you 25911. give to officers during their study leave?-I think the study leave should be for study in the chambers of a practising Barrister, and the fee for that is 100 guineas a year, so that it would have to be something in excess of that amount.

25912. Would the grant of this allowance be dependent on proof of satisfactory progress?-I think it might be assumed that officers of the Civil Service of eight years' standing will attend to their work in chambers.

25913. It has been represented to us by witnesses elsewhere that considerable importance is attached in India to the Barrister qualification and that on that ground it is desirable that officers of the Indian Civil Service, who join the Judicial Branch, should obtain a call to the What are your views on that matter?-I attach no importance whatever to it.

25014. Have you considered how long normally an Indian Civil Service officer should be employed in the trial of original Civil suits before he becomes eligible to officiate as a District and Sessions Judge?—I should say not less than six months, but I should prefer

a year.
25915. Do you recommend any changes in
the subjects of examination for the Indian Civil Service with a view to making Law a more prominent feature?—No, I do not think that the study of Law at that early stage is of very much use. I think the District Officer in his magisterial work gets a certain practical acquaintance with Law, and if he adds to that study in chambers in England he will probably be better fitted than if he relied solely upon extra legal studies before he comes out. 25916. Would you modify the Rules govern-

ing the probation of an Indian Civil Servant in that direction?—I really do not know what they are and I have not studied that question.

25917. You are not aware that at present they are deficient in regard to the study of

Law?-No, I am not.
25918. What proportion of District and Sessions Judgeships in the Bombay Presidency do you consider should be filled by Members of the Indian Civil Service?—That is a difficult question to answer. I think that the Indian Civil Service ought to be represented by at least three Judges in the High Court, and in order to provide them you must have a considerable number amongst the District Judges also. In practice, the selections for the High Court are confined to the five or six District Judges at the head of the Service, so that I should think that at least two-thirds ought to be reserved for the

Members of the Indian Civil Service. 25919. You say that unless Indians have had special experience of Criminal work they are better suited for the trial of Civil work. Could not this defect be made good by couploying Sub-Judges as Assistant Sessions Judges !- No. I think the objection is that they have not had any experience at the Bar before they take up Criminal work. I attach great importance, as far as Indians are concerned, to training at the

Bar before they sit as Criminal Judges. 25920. Do you consider that the present rates of pay and grading of Judicial officers are suitable?—Speaking of Judicial officers of all classes. I have not heard any complaints about the pay of District Judges, but with regard to Subordinate Judges, there is no doubt their pay is not so good as it is in other Presidencies it is certainly a minimum wage, and I think it ought to be increased. I can only express a general opinion. It is a matter on which there much dissatisfaction in the Subordinate Service

25921. Would you be prepared to say what in your judgment would be a fair salary for a First-class Sub-Judge?—I should like to see them all getting at least Rs. 700.

25922. But you are not prepared to give us any detailed advice with regard to the pay of any grades of the Judicial Service ?-- No.

25923. We are very anxious to obtain all the information we can on the subject of pay, and any advice which we get from witnesses will be welcome. You, however, are not prepared to give any?-I am not prepared to say. It is a question that has been studied much more by my colleague Mr. Justice Heaton, who is now on the Commission, than myself, and he is much better able to express an opinion.

25924. You are only prepared to say that generally speaking you would welcome an generally speaking you would whole and I think in fairness this Presidency ought to be on the same footing as other Presidencies, and it is not now.

25925. Are Judicial officers in this Presidency paid less than in other Presidencies ?-

25026 (Lord Ronaldskay.) I think you told the Chairman you recommend that a man should spend about eight years on the Revenue side before being transferred to the Judicial ?-Yes.

25927. Could you tell us after about how many years' service a man in this Presidency moves to the Judicial side under the existing

system?-I think that is about the period. 25928. You are satisfied on that point with the existing arrangement?-Yes, except that sometimes Revenue officers are allowed to transfer after a longer period of service, and that is hard on the men already in the Judicial,

because they take rank above them. 25929. Will you tell us what are the main advantages that you think a Judge derives from the years which he spends on the Revenue side of the Service before he is transferred to the Judicial side?—He gains a knowledge of the people and a knowledge of the working of the Government. Generally speaking, Barristers are very ignorant of the machinery of Government in India, but the Indian civilian Judges know all about it, and it is very important that they should know about it in the

trial of cases from districts. 25930. I understand that if a proposal were made to recruit the Judicial in India entirely from the Bar you would be opposed to it?—I should.

25931, You also told the Chairman that you attached very little importance to a call to the Bar. That is on its merits, I suppose ?-Yes.

25932. I should like to ask you, bowever, whether you think the fact that a Judge has been called to the Bar gives him a greater prestige among the vakils and so on ?—Not the least; they know it is nothing but a name.

25933. With regard to your proposal for recruiting Sessions Judges from Public Prosecutors, can you tell us how many Public Prosecutors there are in a Province like Bombay !-There would be six District Courts at least from which you would be able to get

very experienced Public Prosecutors.
25934. The field of recruitment would be a rather small one ?-Yes, but then the number of Judges required would be small too.

25935. Could you tell us how the emoluments of a Public Prosecutor would compare with the salary of a Sessions Judge ?-No, that is a subject on which I cannot give you any information. I have heard varying opinions expressed, and it must depend a good deal on the place where the man is working. He may have lucrative Civil business besides his Government work, or he may not.

25936. Can you give us any idea as to whether a post like that of a Sessions Judge would appeal to a man in the position of a Public Prosecutor, that is to say, would it be sufficiently remunerative to attract him?—Yes,

I think it would.

25987. In the latter part of your answer to question (19) you say that a good deal of the Civil work which talls to the let of a District and Sessions Judge should be devolved upon First-class Subordinate Judges with appellate powers, and you think that they should receive better remuneration?—I say that is practice it does devolve upon them. It is necessary to appoint First-class Subordinate Judges with appellate powers to try Civil cases which the

District Judge has no time for on account of his Criminal work, and I say they are not properly

25938. You would propose to create a new and higher grade of Subordinate Judge than any that exist now !- Yes, Subordinate Judges with appellate powers.

25939. At Rs. 1,000 or something of that 2000. He has a year of the would give satisfaction. Rs. 800 or Rs. 900 would be a considerable increase on what they get at present.

25940. (Sir Theodore Morison.) In your reply to question (64) you recommend that a civilian should be given study leave when he joins the Judicial Branch : do I understand you would be satisfied with that addition to his legal knowledge if he had the same training as he has at the present moment?-Yes.

25941. Your scheme, does not postulate anything further ?- No.

25942. Even with the one year's probation which they have at the present inoment in England during which they do not attend courses of Law?-I think study leave is the

only addition I should ask for. 25943. Do you think that the younger District Judges, those, who have only had one year's probation in England, have a sufficient knowledge of Law to be able to profit by that one year in England ?-Yes, I think so. I think the man who has done magisterial work for years would probably be able to profit much more by a year in Chambers than a man coming fresh from the University, called to the Bar, and then going into Chambers, and he would be of much more use to the man who was teaching him and would profit a great deal more and see more of the work.

25944. You do not think that the Judges require any larger theoretical knowledge of Law ?—I think not.

25945. Your teaching would be all practical?-Yes

25946. You would have them learn a good

deal while they are doing their work as Magistrates?-Yes. 25947. And then you would have them see

Law actually handled by a Barrister in his Chambers?—Exactly. 25948. Such teaching in Law as is given for

instance in the Law Schools or the Law Tripos you do not think very valuable to an Indian Judge?—I do not say it is useless, but I do not think that kind of teaching is of very great value in after-life.

25949. If I heard you rightly, in your reply to Lord Ronaldshay and to the Chairman you said you would not approve of the Judicial Branch being recruited entirely from the Bar ?-I should not.

25950. And I believe you suggested that something like two thirds of the posts should be reserved for civilians ?-Yes, speaking of Dis-

trict Judges.
25951. Do I understand you recommend that those who are not civilians should be recruited directly from the Public Prosecutors to the extent of something like one-third?-Yes, If

Sir Basil Scott.

Continued.

you cannot get sufficient Public Prosecutors with Criminal work you can easily select from among the pleaders men who have had a good deal of Criminal experience, which is what you want.

25952. So that your recommendation is that to a small extent, perhaps one-third, the Judi-ciary should be recruited from Pleaders and Public Prosecutors ?-Yes.

25953. (Mr. Chaubal.) First-class Sub-Judges are frequently invested with Assistant Sessions Judge's powers in this Presidency, are they not?-I do not know that; you probably would know it better than I do.

25954. It may not be of frequent occurrence, but they are occasionally invested I believe with such powers?—I believe it has happened, but I do not know that it is frequently done.

25955. You have heard no complaints about their not being able to do their Criminal work properly when they are so invested?-If you ask me for specific instances I cannot give them to you, and you would not want me to mention

25956. Of course Subordinate Judges ordinarily do not do any Criminal work, and therefore they may not be quite so ready to do the work, but that does not mean they are not capable of doing Criminal work if they given that work to do? - You never can tell of course until you try, but I know of cases in

which satisfaction has not been given.
25957. The question is whether you have any distinct recollection of any complaints about First-class Sub-Judges doing Assistant Sessions

Judge's work ?—No. 25958. In famine times Sub-Judges are frequently invested with magisterial powers, are they not?—It has only happened once since I have been in India, I think

25959. Whenever there are days of scarcity, Sub-Judges I believe are invested with magisterial powers?-That may be so, I do not know. The famine did not occur in my time on the Bench and therefore I knew nothing about it.

25960. But only last year were not certain Sub-Judges invested with magisterial powers in the Ahmedabad district !—I did not know it.

25961. At any rate you are not aware of any complaints being received as to their not being able to do their magisterial work well?—No.

25962. I understand from your answers that you are not particular about Public Prosecutors being appointed, but that you would take any Pleaders who have had much experience of Criminal work ?—Exactly, 25963. With regard to your answer to

question (23), could you tell me roughly what would be the number required for recruitment in order to provide the High Court with a supply of Judges from the indian will Service :- I cannot give any more detailed answer than I gave to the Chairman on that point.

25964. That is two-thirds?-I should think roughly it would be probably two thirds. 25965. (Mr. Sly.) Do you consider it is important that in the Judicial errice as well as

in the Executive there should be a European minimum of officers ?- Certainly. 259:6. It has been suggested to us that this

European minimum might be more suitably recruited direct from the English Bar than from

the Indian Civil Service: what would be your opinion on that proposal ?- I should be very sorry to see it adopted. I think a knowledge of the administration is required in District Judges, and I do not think you will get that by importing English Barristers. Also it is quite likely there might be a feeling of hostility against the administration if you did import English Barristers here, and it would be very undesirable I think.

25967. Can you give us any opinion from your knowledge of the English Bar of what class of recruit is likely to be attracted from England by a District Judgeship?—No. I do not think it would prove attractive at the pre-

sent rates of pay.

25968. Another suggestion made to us was that this European minimum might be recruited from English Barristers at the Indian Bar who have had experience and practice in India for some years. What would you say with regard to recruitment from such a source ?-If you got a man who had shown any ability and had had any practice he would not take a District reship

25969. Can you tell us how many English Barristers there are actually practising in the Bombay High Court at the present time?-

I should think about half-a-dozen.

25970. In regard to your proposal for reading in Barristers' Chambers, it has been stated that whilst that course is exceedingly valuable for a Barrister who has to practise in the English Courts, in order that he may learn the procedure and methods of English Courts, it would have very much smaller value for an officer who was going to be a Judge in India, where the procedure in the Courts is very different. Do you think there is anything in that objection?-I do not think the procedure in the Courts is very different. The Civil Procedure Code is founded on the Rules under the Judicature Act.

25971. (Mr. Macdonald.) You say in reply to question (64) that when a civilian has been transferred to the Judicial Branch you would give him an opportunity of proceeding to England?—Yes.

25972. Would you give him a grant?—Yes, I would give him a grant to enable him to read

in Chambers.

25973. Would you give him special leave?---He would probably want to take a year's furlough at least after eight years, and some extra leave might be added to that,

25974. You would allow him to use part of

his furlough for this purpose?—Yes, 25375. Would you give him any other opportunities or would that be enough?—I think that a year or a year and a hulf would do him a great deal of good. It would give him a kind of confidence which I think is desirable in Indian civilians when they have a strong Bar before them. To be able to look at the case from the point of view of the Bar and to be able to argue t e case in Court as it goes along would be much more within the capacity of a man who had read in Chambers than in the capacity of a man who had not so read.

25976 It has been placed before us from several sources that the whole condition of the Indian Law Court is so different from the condition of the English Law Court that both reading in Barristers' Chambers at home and Sir BASIL SCOTT.

continued.

attending English Law Courts are of very little importance for an Indian Judge: de you take that view ?-No, I do not agree with that at all. If you get a Barrister who has had a fair practice in England he will at once get his footing in India without any difficulty.

25977. Then you do not share the view I have expressed?—Not in the least.

25978. (Mr. Fisher.) I gather that you are contented with the present system of one year's probation for Indian civilians?-I cannot express any opinion on that point as I have not thought it out.

25979. It has been submitted to us from several quarters that the civilian who comes out to India under the present system of one year's probation has lost a good deal by the omission of the practice which formerly prevailed of taking notes of cases in the Law Courts in England. Would you be inclined to hold that view?-I cannot express any opinion on the

25980. Do you think that that was a valuable part of the legal training ?-So much would depend on the man who was taking notes; some men would profit by it and some men would not

25981. You would not be prepared to alter the system at all in order to recover that advantage?-No, I do not think so.

25982. (Mr. Madge.) You consider that the general experience gained by an Indian civilian in the early portion of his career is very valuable to him not only as an Executive officer but later in life if he should become a Judicial

25983. May we take it then that it would be a fatal objection to any scheme of recruitment from the Bar in India that a man was wanting in that experience?—I do not say it would be a fatal objection, but I think it would

be a strong objection. 26984. A very serious one, would you say? -Yes, I think so.

25985. You are also in favour of recruitment for the Indian Bench in the mufassal from the Provincial Civil Service, Subordinate Judges and others of that class, are you not ?-No. I think what I said was that I was in favour of recruitment from the District Bar.

25986. Are you opposed to the recruitment for Sessions Judgeships from the Provincial Civil Service in the case of Subordinate Judges and other Judicial Officers of experience?-I think that some special training in the practice of Criminal Law is desirable for an Indian who

is put into one of the listed posts, 25987. You have noticed a defect in the civilian promoted from the Har that he has had no experience in Civil cases ?-I am not aware of saying that

25998. At any rate you think an experience in administering both Criminal and Givil Law necessary for a man promoted to the Histrict and Sessions Judgeship from whatever quarter?-I think a man ought to have some experience of the trial of Civil cases either at the Bar or on the Bench before he begins Criminal work as a Sessions or Assistant Judge, but I do not know that that answers your question.

25089. My difficulty is that the Subordinate Judges may not always have had an experience corresponding with that of the District

Megistrate, and if promoted at that stage to the Sessions Judgeship they would not make as good Judges as even a Magistrate promoted to the Bench. Have you thought out any scheme by which the civilian on the one side and the Provincial Judicial officer on the other could be made to exchange functions, the one being assisted to try Civil cases and the other assisted to try Criminal cases, thus making up for their mutual defects?-I have not considered it.

25990. (Mr. Abdur Rakim.) From your answer to question (19) I understand you are not satisfied with the Subordinate Judges holding listed posts, but that you would prefer practising Pleaders to be appointed to those places?—Yes.

25391. I suppose there are about four listed posts at present open to the Subordinate Service in this Presidency ?—There are six altogether, three District, and three Assistant Judgeships, I think.

25992. Would not the removal of all listed posts have a somewhat deleterious effect on the Subordinate Judicial Service?-I propose that there should be a superior class of judgeship created for the Subordinate Judges who are vested with Appellate Civil powers, and then I do not think there would be any deleterious effect on the Subordinate Judicial Service.

25993. Would you give them the same pay as the District Judges?—No. Probably there would not be much dissatisfaction if you gave them Rs. 300 or Rs. 400 a month more than the

ordinary Subordinate Judge

25994. You would not object to the one-third of the District Judgeships being filled by Indians who had practised at the Bar?-No.

25995. I take it that when you say practis-ing Pleaders you include Barristers also, supposing they have the necessary qualifications?-

25996. May I also take it that you do not confine yourself to men practising in the Distries ?—I should prefer to see District .Pleaders appointed, men who have been practising in District Courts, to District Judgeships. I do not think the Bar in the Presidency towns knows very much about the districts as a rule

25997. But do not Barristers and Pleaders in this Presidency, or a certain number of them, go out into the districts in important cases?—A few of the leading High Court Pleaders do go, and possibly two or three of the Bar, but I do not think more than that. It is a very small

proportion.

25938. In other Presidencies of which I have had experience Barristers and Pleaders practising in the Presidency towns are frequently taken out to the districts in the more important eases?-That practice must decrease as the officiency of the District Pleaders increases, was much more common in the old days when the District Bar was very weak.

25999. But supposing you get men of that sort would there be serious objection to including Barristers?—No objection, but you would not get them to take the Judgeship, as the pay would not attract them.

26000. You would have the training of the Indian Civil Servant to begin after eight years' general service?—Yes, the special legal training, 20001. How would he be occupied during

the eight years ?- In Executive work in the districts.

26002. Revenue work and general adminis-

tration work?-He would do magisterial and general administration work. 26003. The only Judicial work he would do

would be the magisterial work ?- That is all.

2600 . And then you would give him one year's training in England?—One year or if possible more. One year would be much better than nothing.

26005. What in your opinion should be the period of training in England?—I think the ideal period would be one year with a common Law Barrister and one year with an Equity Barrister.

26006. That is what you would suggest, two

years ?-Yes.

26007. Supposing that were feasible would you not consider that perhaps a lesser period you not consider that perhaps a lesser period than eight years might suffice for general ex-perience?—Yes, I dhresay it might. 26008. We have had complaints made by cer-

tain witnesses belonging to the legal profession, especially Indian witnesses, that if you have a Judge in his earlier career devoting too much of his time to purely Executive work, when he comes to the purely Judicial work he does not apply to the discharge of his Judicial duties that napry to the discussing of his standard dittes that frame of mind which you would ordinarily expect from a Judge. Do you or do you not think that there is foundation for such complaint?—No.

26009. Is there any such opinion in the profession here ?—I do not know. I propose that a man before he takes up regular Judicial work should read with a practising Barrister, Perhaps he would lose the Executive frame of mind in the process, if there is such a frame of mind,

28010. But assuming there is such a frame of mind, it would be very desirable to eliminate it before a Civilian begins to perform Judicial duties?-I have not noticed any objectionable frame of mind. I suppose you mean something objectionable but I have not noticed anything of the kind

26011. A judge has to decide cases and to do his best to arrive at a decision on the merits of a case having regard to the law applicable to the case. In deciding a particular case a Judge is not embarrassed by considerations of what the effect would be on the general adminis-tration or what the decision of a particular ease according to law is likely to result in. That is the frame of mind I am alluding to as the Judicial frame of mind. In your opinion two years of study in a Barristers' Chambers would suffice to remove any difficulty of that kind in dealing with cases?—I think he would acquire the habit of looking at things from a different point of view.

26012. I understand you do not think it should be necessary that a Civilian should be called to the Bar, but there is no objection to his being called to the Bar ?-I have no objection to it, but it is rather a waste of money.

26013. (Sir Falentine Chirol.) You uttach no value, you say, to a call to the Bar?-Not for a man who is going to be a District Judge. 26014. Yet is it not a fact that a very large

number of Indians go to England every year for the purpose of being called to the Bar because they think it will enhance their prestige with the Indian public out here?-I do not think so. I think they go because they believe it is a pleasant and sometimes lucrative occupation to be a Barrister. I do not think they have any other motive.

28015. It is not because it carries any particular title, such as Barrister-at-Law, or

any particular prestige?—I do not think so. 28016. (Sir Murray Hammick.) In certain parts of India it is said that Indiaus go home in order to qualify at the Bar because they find it is an easier way of getting the necessary qualifications to practise out here than the examinations they have to pass for the B.L.?-

That is so, no doubt. 26017. That is probably a good part of the reason why so many go home to take a Bar-rister's call ?—Yes

26018. (Mr. Heaton.) A Barrister has certain privileges in practice which other advocates in this country do not possess, for instance on the original side of the High Court !- Yes, that is so.

26019. So that there is that advantage in being called to the Bar ?-Yes; but I was not speaking of it from a professional point of view really. I consider the call is useless for a man

who is simply going to be a District Judge. 26020. With reference to study leave, do not you think it would be an advantage that a man should have some experience of the trial of Civil suits before he goes to England for his study leave, because it would place him in a position to make comparisons between Indian methods and English methods?-Yes, but I think he would be in a better position to try Civil cases when he comes out and it would be better for the suitors if he waited until he had read in Chambers.

20021. With reference to the Indian Civil Service Assistant Judges, do you approve of the present method of this Presidency by which Assistant Judges are employed in hearing Civil appeals and trying very important Sessions cases on the pay of Assistant Collectors?—Certainly

26022. You think that that ought to be altered ?-- I do.

20023. That they ought to receive allow-ances proportionate to the importance of the

work which they do ?- Certainly. 26u24. With reference to Subordinate Judges with Appellate powers, do you think they also ought to have an allowance in addition to their grade pay, or that there ought to be a special grade made with increased pay?-Yes, one or the other.

25025. Again having regard to the special importance of the work the Judge is doing?-

26025. The work of Subordinate Judges now is more difficult than it used to be; the legal profession is much more numerous in this country, and there is much more in the way of argument and technical difficulties raised than there used to be twenty or thirty years ago? -In that case it ought to be easier, if the

legal profession has improved.

26027. But it requires a more extended knowledge of Law to deal with the better qualified legal profession, does it not, on the part of the Judges ?-Yes, of course the stronger the Bar the better equipped the Judge ought 1st March 1918.]

Sir BASH, SCOTT.

[concluded,

26028. Do you know that the tendency for a great many years past has been to reduce the pay of many of the appointments which are open to Subordinate Judges, and that the result is that they are now being paid actually worse than they were thirty-five years ago ?-1 have

heard that stated, but I have not examined it. 20029. Do you think that is right ?-No. I do not.

26030. Do not you think the quality of their work is very good ?—I do. 26031, And that they have established a

position which requires that they should be

remunerated to a very considerable extent better

than they are ?- Certainly. 26032. And that their prospects instead of being worse than they were many years ago should be better ?-I am not in a position to say

what their prospects were many years ago.
26083. But assuming that many years ago
their prospects were actually better than they
are now, you would say that that was not
right?—I should say it was not right.

(The witness withdrew.)

R. P. PARANIPYE, Esq., Principal and Professor of Mathematics, Forgusson College, Poons.

Written enswers relating to the Indian Civil

26034 (1). What is your experience of the working of the present system of recruitment by open competitive exercination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I generally accept the system of recruitment by open competition as satisfactory. I cannot think of any other system which will prove equally so whon tried extensively. As to "open" competition I think any system based on nomination or selection is altogether unsuited to the needs of a great service. As to "in England," my remarks on subsequent questions should be read in this connection.

26035 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest !- The details in which the system is faulty are discussed in answers to the later questions. The points in which the system should be altered are (i) Simultaneous Examinations, (ii) Changes in the syllabus.

26036 (5). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?-The present system is not fair so far as the Natives of India are concerned; for it lays too much stress on pecuniary circumstances, as it makes every Indian go to England even for the purpose of competition. Not many Indian students like to risk this enormous amount of money; and even to those who do it and succeed, the pecuniary liability incurred is a great burden for the first ten years of their service. The system favours unduly the British student as compared to the students from India and the Colonies. But I think that Natives of Colonies which do not admit Indians, to full citizenship without any restrictions should be debarred from competing for the Indian Civil Service. Again, the examination as at present arranged is calculated to favour the Oxford student as compared to the cambridge studens and much more as compared to students from other universities. No objection can be made in so far as Uxland education is intrinsically better than education at other places; but the un-essential details of Oxford courses should not be given an advantage. The recent establishment

of Rhodes scholarships has enabled several Colonials to compete successfully. There are in the same way two Government of India scholarships awarded in India every year, but kis is very meage in proportion to the number of students in India. I take this point up again in a subsequent answer. Some of the details in which the examination can be usefully altered

are also given later. 26037 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?-I think it is to the advantage of the Indian Civil Service that the examination for the Home, Indian and Colonial Civil Services is common. In the first place it enables the public to rate at its proper value the grievances of Indian Civil Servants about prospects, etc., when it is seen that for very much less tempting prospects the better candidates generally choose the Home Civil Service; or if this is considered to be due to the advantage of remaining in England, the public can also see that candidates who just fail to get into the Indian Civil Service (who are, therefore, below those who do get in by only a few marks,—generally not more than a hundred or two out of six thousand) willingly take the Colonial Service with much worse prospects of pay and the equally certain prospect of exile in a foreign land. Again, the common examination ensures a good entry for the competition; and the Indian Service gets at least those who are on an average just not good enough for the Home Service. Some of these would have only appeared for the Home Service competition if the examinations had been different, and, on failure even by a small margin, would have taken to some other line and thus been lost to the Indian Civil Service. Further, the common examination gives Indian people the satisfaction of knowing that the personnel of the Indian Civil Service is not below that of the Civil Service of any other country.

26038 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would strongly advocate a system of simultaneous examinations both in India and in England open in both cases to all persons. This would do away with the feeling of injustice that many promising men have. The examina-tion should be in all respects the same-- in the

point of papers, examiners and final result. The result list must be the same. If there is any the least difference, I think that an unwritten rule would soon be made by which people who pass through the Indian examination will come pass arrough the future statement will conserve to be regarded as generally—at any rate socially—inferior. At present after an Indian gets into the Civil Service, he labours under no disqualification—except perhaps when selection is made for the highest posts in the service. He is generally taken for what he is worth. Hence, I am strongly opposed to anything by which the esprit de corps of the Service is lessened. I proceed to consider some of the objections against a system of simultaneous examinations. First as to practical objections: these are not insuperable in subjects in which the examination is only in written papers. In those subjects in which there is an oral or practical examination the same examiners should be sent to India. These subjects are French, German, Italian and the Sciences. There are not likely to be candi-dates in all the first three as considerable acquaintance with the spoken languages which is expected can only be obtained in France, Germany and Italy respectively. Candidates who offer them will thus be already in Europe and perhaps the examination will not require to be held in them in India. The science subjects will of course be taken. For each science two examiners will have to be sent out. Each will cost about £400 (including £100 for passage and £300 as an honorarium) and will have to spend about two months altogether on the journey and the examining work. The cost of these examiners will thus be £5,600, or even taking for granted that we shall want modern languages examiners, the cost on this head will be £3,000. Allowing a liberal margin for other expenses, the cost of the examination will be £10,000 a year-an expenditure which will not be grudged by the Indian public and even the candidates will not mind paying a little higher fee. urged that Indians will start cramming establishments for preparing candidates for the examination and candidates will not have received a groundless if the age limit is kept as at present and if the standard of examination is kept as high as it is now. It is common knowledge that at present candidates for the Indian Civil Service are not entirely coached by crammers; they go through a regular course at the Univer-sity and after taking their degree spend possibly a few months with the crammers. Several never take any special course at the crammers'. Again not many of the Indians that do get in now coach with the crammers. This is the case even when the cramming establishments available in London have very capable tutors. In India the tutors are not likely to be of a high order of ability as they would be too costly. Candidates will naturally finish their University courses and then take the post-graduates' courses in the subjects that they wish to offer. The standard of the examination in every subject at present is generally as high as that of the M.A. at an Indian University, in many cases it is much higher. It can be confidently predicted that crammers will not come into existence as a consequence of simultaneous examinations. Of course, it will have as a consequence the raising of the general University standard in India and

this is all to the good. Further, if a precaution is deemed to be necessary, a condition can be made that candidates in India should be graduates of a University. Then it is feared that Indians with their alleged wonderful powers of memory will swamp the Britishers in the Scrvice. I don't admit these powers. Consider the state of things at present. The few Indians that do get in are generally the best graduates of Indian Universities. The students who cannot go to England for competition but who are of an approximately equal calibre to the success ful candidates do not number as many as do get in. Again, several of our best students fail in England. Further, our best students even do not generally come very high. They are generally about the middle of the list or lower, It is not, therefore, likely that successful Indians will increase so very much in number. I shall be very greatly surprised if the number of successful Indians is even doubted in the next ten years. I don't think that the English student need be afraid of the Indian intellect. The latter, if properly trained, is at best the equal of the English. But, it is said that with a simultaneous examination only a few classes will get into the Service in disproportionate numbers, and the Bengalis, the Madras Brahmins, the Maratha Brahmins and the Parsis are the classes of whom most fear is entertained. Now, these classes are so far those that took advantage of Western education earliest, and hence they appear to have got more places so far. But a generalisation from this fact is unwarranted. Even now, the Indians in the Civit Service can be classified according to communities somewhat as follows :--

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This shows that the Mahammadans have so far quite held their own in the open competition and they need not fear competition with others, especially considering the great efforts they are making for their echentional advancement. Again taking the sward of the Government of India subclearship in all the five Indian Universities as a reasonable test, since these are granted on a general comparison of the University results of the candidates, we find the following facts: Hindus 32, McHammadans 9, Branis 4; total 51 (blear earth effects with the State of the Control of the C

let March 1918.]	Mr. R. P. PARANTPYE.

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denotes a second first class obtained by the same

· These facts will show that the class that generally clamours against open competition is able to hold its own and needlessly depreciates itself. If any classes have reason to complain, they are found by carrying the principle of division a little further. The backward classes among the Hindus, the depressed classes, some of backward classes of Muhammadans have reason to complain. But one can only go by broad stb-divisions; otherwise the "have not," even if a single individual, can always give some principle of division by which he will be able to put himself in a separate class and thus show an estensible ground for complaint, It is not fair for any class to demand that it shall have the prizes of service even if there are no competent individuals among them. The other classes have to be considered also. All that a backward class can fairly orge is that they should be given opportunities to fit themselves for high position; and no advanced community will or can legitimately gainsay this demand. As higher education advances in a community, it will gain on an average its proportionate importance in the Service under any system of open competition, is demoralising for any community to beg for special favours. I wish it to be clearly understood that I am in favour of a completely identical simultaneous examination. The only detail in which I shall allow any difference is in the nature of probation, of which I shall speak later. If, however, it is considered that such an examination is not practicable or advisable, I do not wish a separate examination for Indians, The remedy that I would suggest in that case would be a system of scholarships in large numbers. I shall be satisfied with three scholarships of £250 each tenable for three years awarded by each University overy year; two of these should be awarded by the University by an open consideration of the results of all University examinations under proper conditions of age and character. The third should be awarded by Government from among the graduates so as to redress the balance in favour of special communities. The scholarships should be granted only to such candidates as have at least two years before them for the last chance at the Indian Civil Service examination.

28030 (7). What would be your opinion with regard to filling a fixed propertion of the meanodes in the Indian Givi Sarvice Cadro by Natives of India, received by means of a separate examination in India, or by means of separate examination in India, or by means of separate examination in India Province or group of Provinces in India? If you favour such a scheme, what proportion do your recomment? —I do not wish to have a separate examination in India for recruitment to the Indian Givi Service. This way noninally help to get more Indians in, but there is sure to be immediate differentiation.

between men recruited in England and in India; and what we Indians desire is the Service itself in its reality and not a nominis umbra. I don't think any fixed proportion need be laid down even if there are simultaneous examinations, for I don't enticipate the time when such a hard-and-fast proportion will be necessary. The ority of successful candidates will continue to be Englishmen for very many years to come. Again speaking frankly, Indians will not have confidence in the results of an examination conducted here. Dame rumour has it that in some cases the results of the open competition for the Provincial Civil Service when it was open were faked so as to get a previously prepared result. The rumour is of course sure to be wrong, but the fact that there is such an impression is sure to make the examination lose its importance. On the other hand, the Civil Service Commissioners in England have the full confidence of the public, and a person selected in an examination conducted under their auspices is sure to be accented as better than one who has failed. As I do not like even a single examination for the whole of India, I like saveral provincial examinations much less. It is often said that people of one Province would resent having civilians from another Province, but I don't think it matters in the least. All that people want is efficient administration and also officers that they can respect for their ability, character and manners, would as soon have a Muhammadan or a Bengali, or an English Collector, provided all bave got the same spirit which is broadly called British; advanced education on modern lines will give this spirit to most men. It will leave some Indians quite untouched just as several Englishmen also have it not.

28040 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Nativas of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) continued nomination and examination, or (c) any other method? If so, describe fully, what system you would recommend. In parts cular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think both the methods (a) and (b) are vicious in principle and unworkable in practice. Even, if nomination is to be made by an impartial body of persons, still as nobody knows every candidate personally, as notions will have to depend upon the certificates and other evidence produced. Since these certificates do not all come from the same person, weight will of course have to be given to personal recommendations. This is too great a responsibility to be thrown upon any body of persons however conscientious, and a system in which everything is above board will be infinitely more preferable to a system of nomination. Combined nomination and examination while slightly better in some respects often combines the evils of both. Seeing that one's recommendation is not the last step, even conscientious people will recommend under this system whom they would think twice before recommending if their recommendation were actually to secure a final selection. On the other hand, the alleged evils of examination remain as they are in an open competition. The system will tend to increase discontent instead of adapting it. If simultaneous examinations are granted, I am prepared to make one concession, etc., that for reasons explained to an applicant in detail and made public. Government may be given the power to reject an occasional application. I am prepared to conceive of eases, especially in the present circumstances of our country, where an applicant should in the bust interests of the Service be refused permission to compete. Of course, this power should be used very sparingly and it would do no harm if the power were existent as a possible safeguard against an undesirable Theoretically, it is desirable that all -candidate. classes and communities should be represented in the public service; but the importance to be attached to this is very small. In India, where every small body tends to form a separate class almost water-tight, this would be an impossible task in any considerable degree. Large classes would not satisfy anybody. Thus, if Brahmins were made a separate class, dissatisfaction would arise if, out of the places given to Brahmins, one particular sub-section got more than its proper share. The differences that divide sub-sections from each other are always more keenly felt and realised than those which divide broader classes. Thus, there would be dissatisfaction, if for places reserved for Muhamussausaction, it for puces reserved for suban-madans more Khojas were appointed than Borahs, and so on. The minor distinction may possibly remain dormant while the bigger classes are striving for mastery. But, as soon as a per-manent equilibrium is established between these classes, the fissiparous tendencies will show themselves with even greater vigour among the sub-sections. Hence, I would try to secure for each class or section its proper predominance in service by giving it the proper educational facilities and then leave everything to open competition. It is of great importance that the highest Service in the country to which is entrusted the impartial administration of affairs should be above any suggestion of favourities or unfairness. Again, communities small in numbers, but of considerable importance from their social or economic status, must go to the wall in any scheme of proportionate distribution of patronage. The Parsis, who have legitimately made for themselves a high position in Bombay society, would be practically unrepresented under any such scheme; and it would be a great loss to the country if such an enterprising community is practically shut off from an opportunity of serving their country honourably on account of a supposed necessity of unfairly bolstering up a backward class. unrest will get a fresh addition if such an idea gets into the heads of capable Parsi youths and they are led to regard themselves as unjustly treated. Further, it is not every community that will devote its energies to administration. now, I have known some young men who were quite capable of passing into the Indian Civil Service deliberately chose other careers. As possible careers for capable young men increase in number, the inequality of distribution of places in the Civil Service will be felt less and less; for if there are fewer civilians in any community, there may be more merchant princes from that community. Thus, the Bhatias in

Bombay are not less important, simply because there is no civilian from among the Bhatlas; or the Gujarati Hindus who don't yield to any other class in point of intellect have only two civilians, for their cleverest men very often go into business which is a much more lucrative career. Sikhs would prefer a career in the army or some other class would prefer a career in the Public Works Department or other Services in preference to the Civil Service. It will be found from a consideration of the numbers given in answer to a preceding question that the numbers of civilians from different communities are approximately proportional to the number of English-knowing persons in them. As English education spreads—and each community is making determined efforts to raise itself educationally-the balance will be automatically redressed.

26041 (9). If you are in favour of a system for the part recruitment of the Indian Givil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England T—Vese; oven if simultaneous examinations are instituted, Indians should be allowed to compete in England. As I have said in a previous answer, I do not expect many Indians will get through if they remain in India. There will not be for a long time proper educational facilities for them here; hence, any clever young man who can meange to got to England for study, even with some sarine, will generally do it. And it is desirable that Indians should study as In English University. What I wish to see as the result of the institution of simultaneous examinations is the removed of a sense of unfairness, the feding that the Civil Servine is instituted for the benefit of Englishmen. The practical result remain greatly of the same nutare as they now are; nor do I greatly desire to see any starting audien change.

andre charge.

30:95 (10), Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lies of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any would you recommend in the conditions governing the Provincial Civil Service?—It think that even if simultaneous craminations are unitarited, the system of listed posts should tenuals in force as the prospect of something higher to look forward to is sure to ach as a beneficial intensity to the ansatze of the Provincial Service.

25048 (12). Are you satisfied with the present statutory dictition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (38 Vict., c. 3), as including "any person born and domciled within the Dominions of His Majesty in India, of parents labitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to tiss matter?—The definition of Natives of India should be so extended as to include the subjects of Native States in India. At present many persons born in British India, full bonourable employment in these Native States, and it is but fair that the relation should be redproat. Fruther, this extension will open a new avenue to the stons of Native Princely families who, while they are in their own territories, are accustomed to regard themselves as little gods, but who, if given proper opportualty, are fillery to prove desirable Civil Servants in British Todio

26044 (18), If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?-The present age limits are quite suit-able and should not be lowered. They allow candidates to go through a complete course at a University and then appear for the Indian Civil Service. English candidates generally get one year after their Honours examinations at Oxford or Cambridge, while Indians generally get two after B.A.; but, on the other land, the B.A. standard of Indian Universities is very much lower and the Indian Civil Service is equivalent to the Indian M.A in three branches at any rate. If the age limit is lowered, we shall have comparative boys competing for the examination and their general education will be defective; as the standard of education in India is gradually rising, the days when persons who have not received wide culture can exert moral influence on the people of India will soon disappear. Even as it is the fact that Bombay University makes sixteen (on the 31st Docember) the age limit for the Matriculation while the Indian Civil Service requires twenty-two or twentythree on the 1st August is awkward: for it gives a year less to the candidate born between st January and 81st July than to the one born between 1st August and 31st December, supposing each candidate goes to England after com-pleting his B.A. of Bombay. Again civilians on coming here are very soon put into responsible comming nets and they must be of somewhat steady character and mature judgment; otherwise his head is likely to be turned by the power put into his hands and he may treat respectable Indian subordinates with a high-handedness which will alienate them and make them less efficient in the Service.

26045 (14). What in your opinion is the most suitable age at which jurior divilians recruited in England should commence their official divities and the suitable of the suitable of the resear is quite a suitable age. It should on no account be lower. Perhaps a rise of one year will be preferable.

2004d (15). What age limits for the open competitive casimisation in Engiand would best suit candidates who an Natives of India, and the control of the control of the control of the differentiation between the age limits for Natives of India, and in the control of the control of the differentiation in this respect of age should be under Indians, as I say in mother manufacture of the control of their carry years in learning English and the same age limits is likely to be aged the control of their carry years in learning English and the same age limits is likely to be about the control of their carry years in learning English and the same age limits is likely to be adding them a little in comparison with the English of the control of the control of the comparatively light age is an affected answer to a sucreting remain clean made that Indians are

precedings, that they show brilliancy in early youth, but fail off later. If there are any such preceding youths, I do not want them to be our administrators. These should be men who are of a consistently high order of brilliancy and do not merely show meteoric spleudour for a short time.

26047 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I think that the present examination needlessly favours the students who have passed the Litterae Humaniores at Oxford. Such a student has practically done all the 6,000marks worth of subjects in this examination. While a Cambridge man who is good in mathematics or Natural Sciences has to get up a few subjects over and above his proper studies for the open competition. The Indian student who has generally no Lutin and Greek finds himself necessarily thrown on to such comparatively vague subjects as History, Philosophy, etc., if he is not a Mathematician or a Scientist. The only subject in which he has an advantage is-Sanskrit (or Arabic, not both, for Indian students are not required to take two classical languages in Indian Universities as English forms necessarily one language for them); for this at present there are 800 marks. Looking to the character of the work that a civilian has to do I propose the following changes in the list of subjects and marks: (i) In the first place I would make English Composition, Economics (and probably also Political Science) compulsory for every candidate. The value of these for an administrator can hardly be over-estimated. We often find several civilians when they come out having very crude ideas on common subjects. Many of them can hardly write decent English, for English composition is not an important subject in English schools or Universities. (ii) Nextly I would give Sanskrit and Arabic the same marks as Latin or Greek. (iii) Then I would introduce the following new subjects in would introduce at Landing History (500 marks), 2. Indian Philosophy (500), 3. Hindu and Mahomedan Law (500). Indian History is supposed to be included in two or three periods of General Modern History, but the weight attached to questions in it is very small. Greek and Roman Histories are included, it isa fair demand to have Indian History put on the same level. The extent of the subject is very vast also and smattering would not be easy. The claims of Indian Philosophy to a place need not be stated in detail. Western authorities are coming more and more to appreciato it and a knowledge of Indian Philosophies won't do-any harm to a civilian. Since Roman Law and English Law are included, Indian Law should be also. It is equally of great educational value not to mention the utility of it in future. 4. In subjects like Roman and Greek Histories, Roman Law, and Political Science, a knowledge of Latin and Greek should not be taken for granted. A knowledge of original anthorities is valuable, but the value of these is little dependent on the language itself and will not be greatly diminished by a translation. As well ask for diminished by a transmand. As well ask for-a knowledge of the Latin test of Nowton's Principia or Gauss's Dispatcitions or the French text of Descartes' Geométrie and Laplace's: Mechanique Celètie, 5. Again while a man can Mr. R. P. PARABJEYE.

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appear for the classical subjects in the examination straight from his schools in Oxford or the Classical Tripes, he has got to go through a special preparation for mathematics over and above his preparation for both parts of the Mathematical Tripos. I wish to enter a protest against thes called "upecial" "ucustions saked in several mathematics papers. I say nothing should their usefulness. But while mathematics, as it is, already humpers the man who mainly depends on it, nothing should be done to part further obstacles in the way of the Mathematidan. As Cambridge generally sets the standard in mathematics to the British Empire, the mathematics for the Indian Civil Service should follow dosely the Mathematical Tripos (both parts). The Mathematical Tripos (both parts). The Mathematical residual of the commathematical subjects in the examination and not simply for getting up the tricky practical problems that are offen set.

26048 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is needed as to the choice of subjects for the open competition as between candidates who are Natives of India and those who are not. What is intended to be tested is the intellectual calibre the candidates, their ability to master a subject thoroughly, the keenness of their brains and the rapidity with which they can work. Of course it is assumed that these qualities will generally connote the desirable moral and physical qualities also. Hence it does not so much matter what the subject is, but the extent of the knowledge of that subject. None of the subjects are such as come naturally to an Indian and not so to an Englishman. The Indian has the further disadvantage of learning everything through a foreign language; and though this is not very marked at the age at which candidates appear for the Indian Civil Service, still the expenditure of their cerebral energy is none the less great on that account. Indians do not complain of this disadvantage because they assume it as a necessary factor in the situation. But it has to be borne in mind when any suggestion of further handicapping the Indian is made out of a supposed capacity of Indians to memorize any subject. I don't believe in any such superiority.

26049 (19). Do you consider that a minimum proportion of European subjects of His Miejerty should be employed in the higher posts of the Civil Administration? He spot what proportion of the posts included in the Indian Civil Service Cadre do you consider that 'Natives of India' might untile present conditions properly be admitted?—At present I think that there should be a leaven of British subjects of His Majesty in the Indian Civil Service and I should regard it as suited a for us to think of doing away with them allogaber at present. But as Indians advance, this element in the Service should be diminished. Under any reforms that I have proposed the number of Buropeans in the Service will remain considerable for a great many years, and I am not going to commit my-self to any prophecy of what will happen fifty years hence, Doubless there will be a few more Public Service Commissions within that period. I am, however, more concerned at

keeping the British serare in the administration unimpaired; and semetimes a person of British race and one with British spirit are not identical. Even now there are many Indians thoroughly imbued with British spirit while comotes personal courage, degradness, inform courtesy under perhaps a rough exterior, and a fairly high, though not first class, order of brains. Continued work under responsible conditions will give Indians the capacity of doing things mader any difficulty, and the example of Native States shows that Indians have that ability even though we do not tread upon the risky ground of doduction from historical facts.

28050 (20). Do you necept as generally estisfactory in principle the present system under which Natives of India are recruited for pasts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India 2—No; simultaneous examinations under exactly identical conditions must be individual to the control of th

instituted to get a satisfactory system. See 18 (2016) (21). Do you consider that the old system of appointment of "Stattory Civilians system of appointment of "Stattory Civilians" under the Statute of 1370 should be revived, and, if so, what method of recuriturent would you recommend?—No. I think the system of appointment of statutory civilians has proved a failure and should not be revived. The alleged incompetence of Indians in higher responsible positions is due to this system. Some stattory civilians—appointed originally by methods of patronage and all the circumstances accompanying it—may have proved incompetent, but that only proves the need for rigid open competition.

59662 (22). If he system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has naver existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—In the more advanced Provinces of India, military officers should not be employed in posts actinately occupied by the Indian Civil Service. They might have proved farily satisfactory in our of date, partly from their education, which is generally of a lower kind than that of civilians, and partly from their opinion.

ingly unsuitable to the needs of the country. 26058 (23), Do you consider that such a system should be restricted to the recruitment of written of the restriction of written of the restriction of written of flowers from other Indian Services?—I would have no objection if occasionally a specially fitted officer from the Educational Service or the Public Works Department were given a post ordinarily reserved for the Indian Civil Service, just as I would not mind the converse. Thus, there is no reason why a member of these Services on the Joseph Service or the Governor, just as I would welcome a civilina consistently in the post of the Director of Public Instruction.

26054 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to 1st March 1913.]

14

Mr. R. P. PARANJEYE.

Continued.

which members of the Provincial Civil Service can properly be appointed ?- I think the system can properly be appointed?—I be the Provincial Civil Service should have something to look forward to. It is likely to improve the latter Service's status. Only the selection must be made status. Only the selection must be made judiciously; those members only should be appointed who are known to have kept up their independence of judgment over and above meritorious service in the lower positions.

26055 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes. During the period of probation they should get up at least the rudiments of those subjects which they would have to apply immediately on admission to the Service.

26056 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers !- In general a period of one year would be sufficient for probation for candidates recruited in England. The course of study at present prescribed will do quite well in general. In the case of candidates recruited in India on the results of simultaneous examination if such be can sandamoso examination in soon of at least two years to be spent at either Oxford or Cambridge. During this period over and above the usual course of study prescribed for all candidates in the year of probation, I should make them take an honours examination and if possible an honours degree.

26057 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?-I have mentioned in the previous answer under what circumstances I would admit differentiation in the courses of study between Indians and Englishmen. If simultaneous examinations are not instituted, then there should be no differentiation. In any case the principle of differentia-tion should be the place at which the candidate passes and not his race.

20058 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes, I think it is desir-able that a separate college for the training of probationers should be started, if it is possible to do so under the conditions I mention. The to us so there are considered in differently in India or Eagland, wherever it is found convenient. But the principal thing I am keen about is that the college should be manned entirely by Indian Management of the college should be manned entirely by Indian the college shouts be manned entirely by Indian professors. When a young English civilian comes to India and is posted to some district immediately on arrival, he does not come into contact with Indians of good position, education and social standing. Almost immediately he comes into contact with the interest of contact with the contact with the interest of the contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the interest and contact with the c and social standing. Almost immediately he comes into contact with his subordinates and servants. Instinctively he judges Indians to be generally of this class and the mental twist thus

acquired is very difficult to get rid of. He does not know how to treat Indians of position and very often unconsciously gives offence. If a good opinion can be ingrained into young civilians by first associating them with Indians of a high intellectual calibre and excellent character, it will have lasting influence on his whole career. I would consequently have this college manned by distinguished Indian pro-fessors who should all be of the Indian Educational Service. Languages (both vernacular and classical oriental), Indian Law and Indian History can be very well taught by Indians. The principal should be an Indian and all the professors also. It would not matter if this involves some expense. If Indian professors can be got to serve in England the college may be established there. But preferably it should be in some station which is well-suited for the Englishman new to India, like Poona or Nasik, for the whole year. But I would still more prefer quite a small place where there is not much other English society. The staff should be very carefully selected and should consist of men above forty years of age who are likely to influence the young civilian. Such a college is, likely to be useful for persons recruited to other Indian Services like the Educational, Public. Works Department, Police, Forests, etc. The problem of unrest will shrink considerably if English officers learn from the beginning to. treat Indians of good position as gentlemen. I know that most of the offence given is uncon-scious and often not known to the offender, even afterwards, but it none the less produces its evil effect. There are sure to be lots of worthless hangers on about anybody in authority; and the college that I propose will do something to make the young civilian realise where he is likely to go wrong. If Indians are recruited as the result of a simultaneous examination, they may be excused attendance at this college, as the thing most to be desired in their case is a correct appreciation of the British spirit of which they only know from books and from their small intercourse with Englishmen in India. In their case the probation years should be spent in England at an English University and good opportunity should be given them to see British life in all its aspects. This would require at least two years. They would already know an Indian language and another would not be very difficult even on arrival back in India at their post. Indian law is the other subject besides riding that they should be made to study over and above their honours course at the University.

6059 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The answer to this is covered by my answers to the precoding questions.

26060 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent

and of unnixed European descent? If so, please state your proposals?—In the case of persons of mixed Indian and European descent or of unnixed European descent if recruited in India, I should have a course of one year's probation in Europea descent if recruited in India, I should have a course of one year's probation in Europe at a University followed by the year's course at the college that I have proposed. Persons of these classes will profit by both these, as in India they have a tendency to stand alcof from Indians par excellence, while living as they do in a limited society they have not insibled the India English spirit. I don't mean this as a reflection on these classes, but it is well-known that they have discarded the Indian have for thought.

26061 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance is a standing grievance of Indian politics. It should be abolished. In view of admitted differences in the needs of the Englishman and Indian, I would not object to an extra allowance of £100 a year to every Englishman (including Scotchman and Irishman) recruited in England who has no Indian domicile, to be given to him on marriage and to be continued while he has a wife, an unmarried daughter or a son under twenty-five years living. As the present civilians have been enjoying this allowance it would be unfair to stop it in their case. But it should be stopped in the case of future entrants and replaced by the allowance described above which may be called "exile allowance."

agone (4). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed pasts, do you approve of the arrangements by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Not, it think the pay ought to depend upon the world come and not upon the origin—so to spake—of the worker. It cames a great deal of resentment. The expenses of the position of not depend upon this origin; and this arrangement should be done away with. It India, where everybudy's income is known from the Civil list, a differentiation in the salary of a Civilian Oblector and of a Provincial Collector is star to react on the influence of the latter. The pay should be the pay of the goad only.

25063 (Å). Have you any proposals to in regard to the leave rules applicable to make Statutory Givilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sale of rules for such officers and for officers of the Ludian Civil Services are desimble?—I desire that when once a man is put in any place, ho should be treated as of that place. As soon as a man is given the listed post of a Colletor he should be put in the general list of Collectors without italics, dashes, or any other sign, and should be treated exactly in the same way as others.

#### Written answers relating to the Provincial Civil Service,

- 36064 (51). Please refer to Government of India Resolution No. 1043—1053, dated the 19th August 1909, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration I—Yes. The rules are quite striable except that the principle of at least limite I competition should be brought into play.

26035 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—While accepting the principle that in the Provincial Civil Service an attempt should be made to secure fair representation of all classes, I think that ordinarily a competitive examination should be held. Two-thirds (or at least one-half) should be open for unrestricted competition while the other third (or half as the case may be) should be reserved for special classes to be notified before the examination. Candidates from these classes should be made to appear for the examination and should be selected only if they reach a certain minimum (which should be fairly high) of qualification in the examination. No candidate should be allowed to appear until he is a second class graduate (or an M.A.) of a University. At present, so far as is known, applications are invited when there is a vacancy. Of the applicants a few are chosen whose cases are to be discussed specially and who are asked to appear before the appointing body for a personal interview. The most suitable of these is supposed to be appointed. For several months hosts of candidates are engaged in procuring testimonials and recommendations to high officials, and interviewing them if possible. Family histories are ransacked to prepare a sort of a claim on Government for nomination. Excuses are invented for the want of brilliancy in the applicant's academic careers. All kinds of dodges are resorted to and the process of securing-or in the vast majority of cases attempting to secure—a nomination is exceel-ingly demoralising. I suppose even the Secre-taries to Government find the business very sickening in which they have to disregard numbers of argent recommendations. Finally a selection is made, which is often likely to turn out a failure. Instead of this the method of limited or open competition which I have suggested will save a deal of trouble and be much more satisfactory.

26068 (53). Do you consider that recruitment for a Provincial Civil Savvice should ordinarily be restricted to residents of the Province to which it belongs [—Yes. The Service being a Subordinate Service does not require ability of as high an order as the Indian Civil Service and each Province can provide many persons of the required ability for a proper selection. Under such circumstances recruitment to the Provincial Civil Service should be ordinarily confined to

the residents of the Province. 26067 (54), Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?-Please see my answer to question (52). If a class cannot furnish candidates who come up to the minimum qualification in the competitive examination mentioned therein, it must suffer for it. But any class that is keen on getting into the Service will not find the quali-I won't fication mentioned a great obstacle. recommend a nomination pure and simple, Government ought to give notice some months before that "an examination will be held on such and such a date for the filling up of, say three posts in the Provincial Service. Two of these are open; the last place will be filled by the highest condidate from the following communities A, B, C, . . . K., in this order provided he obtains at least m marks in the examination." As mentioned under the Indian Civil Service I would leave the power of rejecting an application from a candidate if open reasons

26068 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? desired qualifications in see oncers appointed in If not, what principle do you recommend?—I think the salary should be fairly liberal. In these days of strenuous competition, people of very good abilities can be got possibly for a com-paratively low salary; but seeing that they represent the Government in the eyes of the people of small towns and villages, they should be above small economies and above temptation. The increased cost of living in all classes also is another reason for liberality. I think a safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between one-half and two-thirds of the pay of an Indian Civil Service man of the same year's service.

26069 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No; as I have before mentioned, the pay should depend on the work and not on the service to which a manbelongs.

## Mr. R. P. PARANJPYE, called and examined.

26070. (Chairman.) You are the Principal and the Professor of Mathematics of Fergusson College, Poona?-Yes.

are assigned and an opportunity is given to him

or an explanation.

26071. And you are also a Fellow of the

University of Bembay ?-Yes. 20072. You are in favour of simultaneous examinations?-Ves

26073. Your view is that the present system is unfair to Irdians because under it they have to meet the expense of a journey to England?-

26074. You say that for the present there should be a leaven of British officers in the Administration ?- Yes.

26675. Do you think that there is no real danger that the proportion of such officers will be unduly reduced if simultaneous examinations are instituted ?-- No.

26076. Supposing this were to happen ?—I think it is possible, even now. If lots of Indians go to England they can do the same thing. If you are only taking into account possibilities, it is quite possible. Supposing one hunored people go to England and lass the examination, there is nothing to stop them.

26077. None of us can predict what the future will be, but supposing what you consider as and the volume of the court, how would you set to work to restore that British element which you desire to see maintained?—The whole scheme would have to be changed if that were to occur

suddenly; but if it were only to occur gradually, I should not object to it.

26078. Do you think that you could make such a change without any difficulty or agita-tion ?-Yes, I think so.

26079. You do not anticipate that crammers will be found necessary under a system of simultaneous examination?-No.

26080. You also say that from your own knowledge they have not been resorted to in England by those Indians who have passed the competitive examination in London?—Not generally and exclusively. Some people have been to a crammer . for a year or so, or for a few weeks, but not exclusively.

26081. May I infer from this that in your judgment Indians will be able to pass into the Civil Service straight from the Indian Universities?-No, I do not think so. Very few will pass under the present system of training in the Indian Universities.

26082. What course will they take if they do not go to a crammer, and if they cannot pass on their present University training?—Only the brilliant student will pass. The ordinary student will not pass by preparation in India. I do not exceet that. I want simultaneous examination to be instituted in order to remove the sense of injustice more than on account of any practical results I expect to issue from it,

Continued.

26088. Students will take every possible chance they can of getting in, will they not !- Yes. 26084. I think you say in one of your answers

that as time goes on the University standard will be raised ?-Yes.

26085. In this case will not a very large number of Indians get through the examination ?- I think not,

26086. You are quite prepared to leave everything to chance?—Yes, so far as one can prophesy about it, say, till fifty years hence.
26087. What are your objections to the alter-

native scheme which has been proposed to us of a separate examination for Indians subject to a repeated cammand of Indiana subject to a reserve?—I think there will be immediate dis-crimination between people recruited in England and people recruited in India.

26088. Would you still my that there would be discrimination if the examination were of practically the same standard as the English

examination ?- I think so.

26089. And would you say there was discrimination if, after the candidate had passed the examination, he went to an English University? -He would start with a disadvantage certainly,

particularly from the social point of view.

20090. What actual disadvantage would be start with ?-You cannot describe it, quite, but we

find it always. 26091. How do you mean that you have found it: what experience have you had?—From every point of view.

26092. If it were decided to offer additional facilities for the introduction of Indians, would you consider that the number of listed posts should be reduced, or not? - I cannot say. There ought to be sufficient to give lower people reasonable prospects. I cannot say any more than that.

26003. You would like to see a certain number of the listed-posts retained ?- Yes.

26094. In order to give encouragement to the

Provincial Civil Service?-Yes. 26095. You say that 24 or 25, or even 26, is the most suitable age at which junior officers should commence their duties in India?—Yes.

26096. Is this view based upon any personal experience ?-I have seen the people that come out at present, and they are quite good fellows.
26097. Would you not think that 26 is rather

old to commerce duty in the service here?—I should not think so. People begin in most of their professions at that age. In the Indian Medical Service, 28 is the limit; and you do not

find any difficulty there. 20098. Do you not think that the earlier a young man starts in a profession in India, the better he will adapt himself to things Indian ?-On the other hand, it is equally necessary that he should have a wide general culture. You have to balance these two.

26099. Do you not think that you will get that general culture before the age of 25 or 26 ?-No.

26100. In your answers to questions (30) and (33) you recommend three different courses of probation? - Yes.

26101. One for Europeans, one for Indians, and one for those of mixed descent?-Yes.

26102. Do you not think that three different periods of probation might cause confusion in the Service?—At present all probationers are not required to pass their probation at one place. They go to various Universities. They have not the same place to stay in during their probation.

28103. It is not a question of place; it is a question of time. You suggest different periods?— Two years for people who are not recruited in England, and one year for others. It might cause some confusion; but I do not think it would

be insuperable. 26104. You suggest that instruction in India should be given to the European?-That is if it could be done.

26105. You suggest something in the nature of an institution to which they should go?-Yes.

26106. I think you suggest only one year?-Yes

One year in England, and one year out here?-No; for people recruited in England there would be no year at home at all.

26108. You would give them their whole time out here !-- Yes.

26109. Do you think that the European can et as thorough a grounding in law in India as in England. He does nothing of the sort now in England. He generally passes his time at the University in England, and passes in one or two papers at the final examination,

26110. That may be due to the defective system, but there are the opportunities?—Most of them spend their time at the University,

26111. Assuming that better opportunities were given to him for studying law, would you still say that he would acquire as full an experience in India as he would in England ?- That he gets when he joins the Service. It is only the radiments he is expected to get in the first year,

26112. On the whole, you would prefer to see him take his whole course in India?—Yes.

26113. In answer to question (59) of the Provincial Civil Service series, you say you consider that members of the Provincial Civil Service should be mid between one-half and two-thirds of the pay of Indian Civil Service ?-Yes.

26114. Do you mean throughout all the grades?—Yes.

26115. Would not that mean a very large increase of expenditure?—It would mean some increase of expanditure, cartainly; but I think they would be more contented. 26116. I take it then that you consider that the officers of the Provincial Civil Service should

receive higher salaries than they do at present?-26117. Right through all the grades?-Yes.

26118. You have not thought out any detailed scheme ?-No.

26119. You would give a general rise?-Yes.

26120. What you propose would mean a very age expenditure. You would be satisfied, I large expenditure. suppose, with less ?-Yes.

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18

26121. You suggest the introduction of a system of partial nomination for entry into the Civil Service?-I do not know whether you

would call that partial nomination. Partly by open examination, and partly by nomination, is it not?—Not exactly partly by nomination. People from special communities

might be taken if they satisfied a certain minimum. 26123. By partial I mean that some would enter by open competition, and some by nomina-tion?—It would not be by nomination. It would be only picking out the people from those com-munities from which it is desired to select. They would all have to appear for the examination.

26124. Would you nominate them before the examination, or after they had passed the exam-ination?—I should not nominate them before

the examination.

26125. You would wait until they had passed, and then select from them?-Yes.

26126. You would not necessarily take those who stood highest on the list ?-No.

26127. Do you not think that to select one man before another after the examination would lead to difficulties?—If it is declared beforehand that in this examination two people will be taken by open competition, and that the others will be taken from these communities, then other people will have no cause to complain.

You do not think that a candidate who 28128. had passed extremely well in the examination would feel aggreed if somebody who had not passed as well were put over him?—That would always bethe case if you want to put in candi-

dates of special communities.

26129. The difficulty could be obviated, could it not, by nomination prior to the examina-tion?—You do not know how many to nominate. If you want a Muhammadan, Muhammadans will all appear for the examination; and the first Muhammadan will be taken. It will be open com-

petition for Muhammadans, as such. 26130. In default of simultaneous examination

you suggest scholarships?-Yes.

26131. Three scholarships for each University ?-Yes

26132. There are five Universities, are there

not?-Yes. That would be fifteen scholarships a 26133.

year ?-Yes.

20134. Tenable for three years?—Yes. 20135. What age would you suggest?— Twenty, after they had passed their B.A., like the Government of India scholarships are at present. 26136. What do you suggest the scholarships should be worth?—£250.

26137. What would be the cost of fifteen scholarships ? - There would be forty-five altogether at a time, so it would be about £11,000 a year.

Would that cover all the expenses? Yes, I should say £11,000; but, certainly, not more than £13,000.

26139. That would make it possible for scholars to have an education in England prior to examination?—Yes,

26140. And then they would go up as ordi-

nary candidates for the examination ?-Yes. 26141. If they failed they would have received

this money from the State to no purpose?-That

cannot be helped. The State only gives them the opportunity to pass, nothing more.
26142. Would you suggest, if your proposal for

scholarships were accepted, that those who failed for the Indian Civil Service should be eligible for appointment to some other department of the Public Service? - If they do well enough in the open competition they might be eligible for other Services. Even now, people who do not pass in the Indian Civil Service, are often taken in the Financial Department.

26143. So that those who fall for the Indian Civil Service might be taken into other Services, provided they passed well in the examination ?-

28144. (Sir Murray Hammick.) You have given us a very interesting argument on behalf of simultaneous examinations and, as far as I can see, the reason you desire them is because it would do away with the feeling of injustice which many promising men have at the present time; and in another part of your answers you say you wish to see the results of simultaneous examinations in order to get a removal of the sense of unfairness, and the feeling that the Service is instituted for the benefit of Englishmen? - Yes. 26145. I suggest you would admit that,

looking at it from the point of view of the interests of the Empire, the Government must look at some other reasons for altering the present system than the mere desire to satisfy the discontent with the existing Service, which you allege exists in India?-This is not altering it by a very great amount

26146. But you would admit that the Government must look for some reasons beyond that; for instance, the efficiency of the Service ?-Yes,

26147. And the maintenance of the British

character of administration?-Yes 26148. They would have to look to all these

matters ?-Yes. 28149. But looking to all these matters, you

have no doubt that simultaneous examinations should be instituted ?-Yes. Do you suppose that the men who 26150. would get in at this examination would be the men who at present in India show the chief

out after open competition?—Yes, I think so.

26151. You think they would?—Yes.

26151. You think they would?-Yes. 26152. But in your answer to question (19) you remark, "I am, however, more concerned at keeping the British spirit in the administration unimpaired.". And then you go on to say, "Even now there are many Indians thoroughly imbaed with British spirit which connotes personal courage, doggedness, inborn courtesy under perhaps a rough exterior, and a fairly high, though not first class, order of brains. first class, order of brains. Continued work under responsible conditions will give Indians the capacity of doing things under any difficulty, and the example of Native States shows that Indians have that ability." You remark here that those Indians who have these characteristics are possessed of a fairly high, though not first class, order of brains. I presume, therefore, that these are not the class of men who would be successful in these examinations ?-1 mean that the British spirit denotes that.

Continued.

26153. You mean that the British spirit denotes these characteristics with a low brain power ?-Not with a low brain power; but you can have a higher order of brains than that.

26154. But as a rule, they are not characterised by a first class order of brains?—No, not absolute

first class order of brains.

20155. How long do you suppose it will take the men who pass your simultaneous examination to acquire this British spirit of personal courage, doggedness, and inborn courtesy which you say characterises this British spirit?—They have been educated under a British system of education from their childhood, and they would naturally get it.

26156. But these men who go up for the simultaneous examination will, surely, not have been educated under a British system of schools, but they will have been educated under another system of schools which exists in India? - After , that is the model of the British system

26157. I beg your pardon, I do not think it is. The whole of the British school system is based on the Boarding Schools, or Hostels, which are only now being introduced into the Indian schools?-We are practically being fed with Eng-

lish literature

26158. Your intellectual training is the same as British training, but you must admit that the conditions of school-life in England are different from the conditions which regulate school-life in India?—Yes, to a certain extent the conditions are

26159. How long do you think it will take these men who pass the simultaneous examination in India to acquire these characteristics which you admit belong to those wine pass by the competi-fion in England?—They have got that to a certain extent, on account of the training in British extent, on account of the training in British subjects, so to speak. I propose two years' probation for them in England. 28180. You think that two years' probation in England will be quite enough?—Tes, I think so. 28181. We have been told by many witnesses

that the institution of simultaneous examination in India would, by means of linking up the University course with a great open competitive examination in India, do more than anything else which has yet been done to throw back the efforts which have been made recently to establish a closer approximation between Indian and Western ideals of culture. You do not believe in that, at all?— Even now the people who appear for the examination and pass are generally graduates of English Universities.

26162. But they have the courage to go to England with very serious risks in front of them ; and by that means they shew that they have some of that "doggedness" which you refer to in your evidence?—I do not think it is a disadvan-

tage to go to a University.

26163. You are wandering from my question. In one of your answers you say that the examination will have a very excellent effect in raising the general University standard in India, which will be all to the good?—Yes.

26164. And you say you do not agree with those witnesses who say that they think that the effect of this examination will do more than anything else in India to throw back the efforts which we have been making during the last fifteen years to bring to closer approximation Indian and Western ideals of education and culture ?-I do not think so at all

26165. Turning to another point, these scholar-ships which you refer to, you intend to be held by men who have already taken their degree in India ?-Yes.

26166. If you gave many scholarships to boys of a younger age, say of thirteen and fourteen, and sent them to Eugland, and gave them a fall training from that up for the Indian Civil Service and up to the open competition, and held out hopes to them that if they did fairly well there, but did not succeed in passing, they would still be given some opportunities out here in the shape of appointments to the Provincial Civil Service, or otherwise, do you suppose you would get boys to go up for scholarships of that sort ? - There would, perhaps, be a difficulty in choosing the scholars at that time

26167. Putting that on one side, supposing we get selected scholars at that age, do you think the people in the best families of India would embrace that opportunity, and willingly send their children up to get those scholarships?-I think that some people would not like to send their boys at that tender age, and I do not think it would be very desirable.

26168. Do you think that the people of the class we want to send to England would come forward

we want to send to England would come forward and take these scholarships ?- Yes; I think so, 26169. With regard to the lowering of the age, I believe you are quite satisfied with the present age? --Yes. 25170. But supposing the age were lowesed to 18 or 19, do you blink that the educated Indian community in this country would emsider that that would be handicapping candidates here very much ?-Yes.

26171. Do you think there would imme-diately be great complaints made that further obstacles had been put in the way of young men

going home?—Yes. 26172. You think that the feeling would be quite as strong now as it was twenty years ago ?-

2617S. There is a detail I should like to ask you in connection with your reply to question (56).
You say, "I think a safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between onehalf and two-thirds of the pay of an Indian Civil Service man of the same years' service." By "open competition," do I understand you to mean that you would not give this two-thirds and one half to the men who would get in, specially scleoted on account of their belonging to special classes ?-I included them

26174. You mean the whole Service?—Yes. I mean the whole Service.

26175. (Sir Falentine Chirol.) In connection with the last question put to you by Sir Marray Hammick, I should like to ask you exactly what you mean by your answer to question (61), in which you say, "No; as I have before mentioned, which you say, "No; as I have before mentioned, the pay should depend on the work and not on the Service to which a man belongs." Does that mean that you are in favour of the men bolding listed posts being paid the same salaries as members of the Indiau Civil Service for doing the same work ?-Yes.

27176. Calculating about the time it takes for an Indian to acquire the advantages of intercourse; and the advantages of what is called the British tone?—Yes.

Continued.

26177. I believe you had great distinction in England. How many years did you spend in

England ?- I spent five years and four months in Europe. 26178 At what age did you go to Eng-

land?—Twenty.
20179. Did you go to Cambridge at once ?-Yes.

26180. After having been at Cambridge for a certain number of years you then went abroad ?— Yes. After four years I went to France and

Germany.

26181. Where were you educated before you went to England?—At Poens, at the College

where I am now.

26182. When you first went home at the age of 20, did you find any difficulty in adapting yourself to the new conditions ?- Not very much, except as to food.

26183. What was the date, roughly, of your stay in England; how many years ago was it?-I went there in 1896.

26184. Did you have any difficulty in forming relationships with Englishmen of your own age at the University ?-No. 26185. You and many other Indian witnesses consider it a very serious hardship for young Indians to have to go to England in order to pass

the competitive examination for the Indian Civil Service?-Yes 26186. I should like you to explain to me why it is that it should be considered as a very great hardship in connection with the examination for the Indian Civil Service, considering the fact that we now see a very large number of Indians going spontaneously, without the compulsion of that door, to England every year to study for the Bar, medicine, and other professions: in fact, in some professions they go in such large numbers that it has now been considered almost excessive? —In the first place there men are going of their own accord. If a man only goes in for the competition for the Indian Civil Service and fails, there is no other opening left for him. If, on the other hand, a man goes to study medicine, and if he does not get into the Indian Medical Service. he has got his profession open to him, and he can make a living afterwards. So far as the law is concerned, there are certain privileges. In the High Court batristers from England have more privileges than pleaders here. The examinations, too, in England, are much easier; so that people who cannot get through their examination here go to England to pass their examination. It is on account of this reason that they go.

26187. Do you mean to say that a man who has had a general education, such as would be required in order that he could go up for the Indian Civil Service with some fair prospect of success, will find himself absolutely stranded ?-We have numbers of people like that who, if they fail, do not know what to do after they come

26188. Numbers of people?—Numbers people go to England to compete for the Indian Civil Service, and if they fail they do not know what to do on their return, particularly if they are net also qualified for the Bar.

acts are qualitated or the source of the 26189. I should like to turn now to your answer to question (33) in which you propound a scheme for the establishment of an institution in India for training English Civilians, that is to say,

young Englishmen who have passed their examination for the Indian Civil Service, May I take it that you have been induced to propound I take it that you have been nounced to propound this scheme on account of your own personal experience that young Englishmen who come out do so with so little knowledge of Indian conditions that they make their own position with Indians a difficult one from the start?-They would be very much better if they knew more about Indians

26190. That is your reason for saying that you have noticed deficiencies of this sort?-Yes, 26191. Your scheme would be to have one institution for Civilians for the whole of India?

26192. Do you think that in one institution for the whole of India they would be able to acquire the knowledge which you desire them to acquire, and which would serve them equally in whatever Province they were ultimately called upon to serve ?-Yes.

26193. There is one part of your very interesting scheme which requires consideration. Your desire is that this institution should be served by Indian professors exclusively ?-Yes.

26194. Do you think that from the merely practical point of view young Englishmen coming out here ex Appothess, with no knowledge of India or Indian character, would adapt thomselves readily to the necessary discipline of such an establishment under Indian professors who, probably, themselves had never had any experience property, meanserves has never man any experience of the teaching and training of young English-men?—If the Indian professors are properly selected I do not think there would be any

26195. You think that there would be no serious practical difficulty?-The young Civilian ought to adapt himself to it if he wants to remain in India. I propose to give him professors of a very high order of intellectual and moral fibre.

26196. I take it that you desire by means of this institution to reduce the danger of friction belonging to different races and different orders of ideas?—Yes.

26137. Do you not think it would be rather a dangerous experiment to begin straight away by placing a number of young Englishmen solely under Indians? Might not your purpose be, I under indicate: magne and your purpose no. A will not say, necessarily defeated, but very much jeopardised by such a startling experiment at the very beginning of their career?—Of course there is a small risk; but I think that young Englishmen who come immediately from England will

adapt themselves to it. 26198. You have considered that point?—Yes.

26199. You do not think that the danger, such as it is, might be mitigated by an admixture such as it is might be innegation by an amilitative of European and Indian professors?—What would then happen would be that there would be two parties among the professoriate. The English professors would naturally be the guardians of the Professors would make and the Indian professors would be the guardians of the Indian students. 26200. Surely if you presume that the profes-

sors, both Indian and European, were carefully selected for a given purpose, and are at once to fall into two different camps, would it not be rather a hopeless problem to reconcile the English student with Indian characteristics?—That is the training

26201, I am in entire agreement with your purpose; but I ask you whether you have

[continued]

considered what appear to me to be very serious

practical difficulties ?-Yes. 26202, (Mr. Abdur Rakim,) You advocate

simultaneous examination?—Yes

26203. Mainly on the ground that it will help to remove a certain sense of injustice?—Yes. 26204. There is another important principle

involved in this question, is there not, namely, the larger employment of Indians in the higher posts

in the administration of the country?—Yes.

26205. And, as I gather, you will be able to satisfy that principle by simultaneous examinations ?-The principle will be gradually satisfied :-

it will not be done at once.

26206. I suppose you are quite aware that the system of recruitment for the Indian Civil Service was framed with a view to English condi-tions entirely, without much regard to their suitability to Indian candidates?—Yes.

26207. The subjects are framed like that; in fact, the whole scheme is like that?-Yes.

26208. Supposing you are to select the best Indian talent, do you think it is absolutely necessary to stick to this system? -Broadly speaking, our educational system is founded in imitation of the English system, at any rate so far as the subjects

which are learnt. 26209. Take, for instance, the literary subjects, Greek, Latin, French: they are all alien to Indian Schools and Universities, are they not ?—Yes.

6210. And the subjects you have suggested in your answer to question (16), namely, Indian Philosophy, Indian History, and Indian Law, do not

autosepay, mean attributy, and indua law, do not find any yakes to the present Splakes 2—That is oc. 2021.1 Would it not, in your opinion, be a more astisfactory principle to ascertain, as frame possible, the number and proportion of Indians who ought to be employed in the higher administration of the country, and then to find out what would be the best same affective. It was a support to the country and then to find out what would be the best same affective the Value of the country and then to find out what would be the best same affective the Value of the country and then to find out what would be the best same affective the value of the country and the property of the country and the property of the country and the property of the country and the property of the country and the country and the property of the country and the property of the country and the property of the country and the property of the country and the country and the country and the country and the country and the country and the country and the country and the country and the country are considered to the country and the country and the country and the country and the country and the country and the country and the country and the country and the country are considered to the country and the country and the country are considered to the country and the country are considered to the country are considered to the country and the country are considered to the country are considered to the country are considered to the country are considered to the country and the country are considered to the country and the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered to the country are considered would be the best means of selecting the Indian members of the Civil Service?-Even surposing you are able to find out such a proportion just now,

it will not hold ten years hence.

26212. No, that is so. We cannot deal with the future once for all. But if what I have suggested were done, would it not be a more reasonable method of proceeding ?—We ought to see, first of all, whether the new system does introduce a dis-

proportionate number of Indians

26213. Supposing you were to set apart a certain number of appointments for Indians, and then select them by the most suitable method, do you not think that by that means you would be likely to get more suitable Indians for the higher administration?—I do not think so.

26214 I will give one instance, the appointment of Indians to the Judiciary. I think you heard Sir Basil Scott say that the best method of recruiting Indians to the higher Judiciary here would be to make appointments from the Bar. Would you differ from that opinion?-I have not much experience of the Bar, and of the Judiciary,

so I cannot say.

26215. If that is a sound opinion, you would have to exclude the Judiciary from your scheme, so far as it falls to the lot of Indians?— That ought to be excluded from the Indian Yes.

Civil Service also. 26216. It is suggested that there should be a different method of selection of Indians for the Judiciary, because we have a fairly strong Indian Bar in India, and the English barristers recruited from England would not be familiar with the.

people and the manner of administration out here. Hence, a differentiation has to be made. Do you not agree with that ?- I think the Indians ought to be recruited in the same way.

26217. Because Englishmen are recruited in

20217. Because Engineering are residued to that way?—Yes. 26218. If we could find some proper method of recruiting a substantially larger number of Indians in the higher branches of the administra-tion, do you not think that would satisfy public opinion in this Presidency: I mean some method other than simultaneous examination?—It would not satisfy me; and I do not think it would

satisfy a large number of people.

26219. Although it resulted in a large recruitment of Indians in the higher administrative

appointments?—Yes.

26220. Does it, then, practically come to this, that, in your opinion, the most important question of simultaneous examination and not the larger employment of Indians in the administration?— What I expect as the result of simultaneous examination is that there will be a larger number of Indians; but I do not want a larger number of Indians if they cannot get in by the same tests as Englishmen,

26221. You would have the same subjects, and the same competitive examination ?- A slight change in one or two subjects might be good; but, on the whole, the subjects and the examination should be the same. A few subjects might be added, such as Indian Law, but no other changes should be made. Such little changes are occasion-

scound of many. Such in the changes are occasion-ally made as when Italian was recently added. 26222. (Mr. Madga.) In giving the answers which you have been good enough to place on record, have you looked at the questions from the point of view of the legitimate claims of an educated class, or from the point of view of the best interests of the great masses ?-I do not think these two are inconsistent.

You think they run parallel to one 26223.

another?—Yes.

You have not realised that it is possible 26224. that the Government of the country, feeling bound, on the one hand, to consider the interests and the legitimate claims of educated Indians, and, on the other, the claims of the masses, may think that they are not quite consistent with eath other? That would be a mistaken idea.

26225. A mistaken idea on the part of a responsible Government which has a mass of information which is not within my reach, and

perhaps not within yours?—It ought not be so.
26226. That may be in a world in which
everything is as it ought to be; but here it is conceivable that the interests of different classes may run in different directions. The Government is bound to give us the best material it can find from any class, after considering all its various responsibilities?—Yes.

20227. Do you think it is an advantage for a young Indian to be sent to England?—Not too

young. 25228. We have had the opinion given to us on the one hand, that it is better for an Indian to go when he is more impressionable, and, on the other hand, we have had the opinion given us that it is better for him to go later in life when he has better for him to go later in life when no has developed the powers of observation. Do you agree with the latter opinion?—Yes, 26229. Do you think that at either stage,

whether old or young, the Indian is in no sense

22

continued.

and degree alienated from that class of local influence which may be serviceable to a public officer ?-I do not understand your question.

26230. Whether old or young, an Indian going to England comes under the influence of a number of conditions quite different from those belonging to his own country? - Yes.

26231. Some of those conditions are really good for this country, while others may not be. Do you think that all Indians who go to England preserve themselves from influences which perhaps tell against their proving good officers?-I think most Indians derive only good; but if they go too young they are likely to derive harm from it.

26332. You have not beard of any Indians who have gone to England who, although not with the golden of highest very seriously and have proved failures?—The people I want to go to England, and who would get into the Indian

Civil Service, would not suffer.

26233. It is not the people that you want to . I am speaking of those who go generally?— They go because they can do no good here.

26234. Have you heard of such Indiaus, or have you not?—I have heard of illustrations.

20235. There are bad bargains in all races. You have heard of some?—Yos. 26336. In answer to question (3), you think that the present system is not fair so far as the Natives of India are concerned ?-Yes, that is so.

26237. But why is it not fair if, for the class you are speaking of, their going to England is all to the good?—It is because it is a great risk. They cannot afford the money to go to England. It is, after all, a very costly business. I have been looking at the Indian Civil Service Commissioners' reports. In 1887 the New Zealand Government asked them to have an examination in Australasia in order to save the expense of going to Bogland.

26286. I quite see the grievance of fathers who have to pay the expenses; but we are considering whether the going to England of the class you wish to see there is altogether an advantage or not. If it is an advantage where comes in the unfairness?—Because everybody might not be rich cough to pay for that advantage. It all depends upon the circumstances of the man, whether he is able to pay for the advantages or not.

26239. Oue of your reasons for holding examinations in India is to re-adjust the inequalities of

fate?—Yes.

26240. In answer to question (6) you say: "At present after an Indian gets into the Civil Service he labours under no disqualification except when selection is made for the highest posts in the Service "?-Yes.

20241. "He is generally taken for what he is worth," you say. Do I understand you to mean that up to a certain point the Government takes

that up is a certain point the Government takes the Indian Citing enternly for what he is words, but that beyond that point they are influenced by other considerations?—One roads in the papers. 2022. I want your cointin, and not that of an irresposable poss ?—We see that out of so many Indians who have got through the Indian Civil Service for a long time there has been no Indian Member of the Council, for instance. Form all there reasons corn on water that for the From all these reasons one can gather that for the posts for which selection is made Indians may possibly be considered unsuitable.

26243. Do you think it inconceivable that although the Government highly approve of Indian Civilians, yet there are some mysterious reasons which prevent them from doing justice to those men according to their own conception of duty, which may be right or wrong ?-I do not know what other considerations they have, except that they are Indians.
26244. I do not want to be personal at all.

We have heard in previous evidence that they were very thoroughly qualified in some respects, though not considered qualified in other respects. That consideration may appeal very strongly to the Government when it is thinking of the vast masses?—It may; I do not know. But that is what we see from the results.

20245. That is to say, you would judge of results, although you have no means of appreciating the influences under which those results were brought about? - That is only a deduction from the large mass of facts which one sees.

26246. You are an advocate of simultaneous examination. Do you, or do you not, think, considering the effect that examinations have already had on Indian education, if you brought this bigher temptation into the field, that that influence which has not been for good may be aggravated?

I do not think it has brought harm to English

education. Examinations, I think, have done good.

26247. You do not think there is a tendency to qualify for examinations rather than to develop mind and character?—That is what is usually said, but I do not very much believe in it.

26248. You say it is "usually said"?-Yes. 26249. 26249. And you go against the general conviction? - Yes.

26250. In answer to question (8) you say, "Theoretically it is desirable that all classes an communities should be represented in the public service." Do you not fear that if you set up this standard of duty there would be a temptation to depart from the other standard which considers efficiency and the needs of the whole country rather than the claims of classes?-Yes, that is what I say. I say that the claims of communities

should not have too much weight. 20251. Can you devise any method of moderating it, if this influence once set in of representing classes?—I do not propose any communal repre-sentation for the Indian Civil Service at all, but I do propose a certain modification for the lower

Provincial Service.

26252. In answer to question (12) you say, "Further, this extension will open a new avenue to the sciens of Native Princely families who, while they are in their own territories, are accustomed to regard themselves as little gods, but who, if given proper opportunity, are likely to prove desirable Civil Servants in British India." I do not suppose anybody, either Indian or Buropean, would object to the bringing in of this class of gentlemen in the British Service if a method could be devised. The question has been asked whother any practical method could be devised which would bring over this class. Has any scheme occurred to you?—Byen now there are small openings for the scions of Native houses, because they are not allowed to compete in the

examination 26258. Never mind what mistakes have been made. Can you suggest any method by which they may be corrected; can you think of any practical scheme? -I do not know of any, except to give them the same chance as others.

26251. With reference to your answer to question (19), about the minimum proportion of question (19), anone we minima a population of European subjects, do you think it is possible to perfect the machinery of Government to such a degree that it will not depend upon the personality of any class of officers to carry it out?—The machinery of the property of nery will work under any class of officers. It is a

question of personality against machinery.
26255. Do you think it is possible to develop the machinery to such a degree that little will depend up in the personality of the officer working it, and everything on the perfection of the machinery?-I think the amount that will depend upon per-sonality will become smaller and smaller, but I do not know how far that will go

26256. Can you conceive it possible or impossible?—I do not think it is quite possible.

26257. Supposing anything went wrong with the machinery the personality of the officer could correct it, but if anything went wrong with the personality of the officer no perfection of the machinery could make it better?—No.

26258. (Mr. Fisher.) You say you are strongly opposed to any lowering of the age of competitive examination?-Yes.

26259. You think it would interfere with the B.A. examination in India. if the age were lowered to nineteen ?-Yes.

26260. Your second objection is that you think that men would do better in India if brought out at a relatively mature age ?—Yes

20261. And your third objection is that an examination, say at nineteen, at the school leaving age in Eagland, would act unfairly to Indian candidates?—Yes.

26262. You were, I believe, Schior Wrangler

at Cambridge ?-Yes.

26263. Can you tell me how much mathe-matics an intelligent Indian boy would have read at the age of nineteen?-About what the publicschool boy knows, and the college scholar at Cambridge when he enters.

26254. He would have read the Differential ·Calculus?—Yes. 26265. He would be about on that level?—

Yes. I found myself on that same level.

26266. He would be on the same level as an intelligent English school-boy at nineteen ?-Yes.

28267. So that if mathematics formed a substautial part of the examination the Indian competitor would practically have an equal chance with his English adversary?—Not at nineteen : at twenty, after his B.A. 26268. Assuming the B.A. difficulty was got

over ?-In India now every University requires the candidate to be twenty years of age before

taking his B.A. degree.

28269. I was excluding the consideration of the B.A. degree. I was asking you whether an Indian boy at mineteen would know as much mathematics as an English boy at mineteen?—Not the best English boy.

26270. The bast English boy? You yourself would have known a great deal more?—I knew just as much as the other entrance scholars in my class

23271. But of course 7 for a scholarship at St. John's they require a very high standard?— Yes, a protty high standard. The lectures at the College practically assume that.

26272. It has been put to us in some quarters that it would be very desirable for certain reasons to lower the age of the competitive examination to nineteen, and for the hoys elected at nineteen, Indian and English, to be put through a course of training in a Training College in England. I wish to consider how far that would be prejudicial to Indian chances. That is my point. I gather from you that if the examination at the age of nineteen were to be mainly a mathematical examination, it would not be prejudicial?—If it were only in mathematics it would not be prejudicial.

26273. In so far as mathematics would form a substantial part of the examination, the Indian competitor at nineteen would not be prejudiced?-Not so far as the mathematical part.

26274, In what particular departments of knowledge would be feel his special deficiency at

nineteen? -In Litin and Greek, for instance. 26275. And English Composition? -Yes.

26276. English Literature ?-If he devoted a large amount of time to mathematics, he would not be able to devote much time to English Literature

26277. Is English Literature well taught at the Indian Colleges ?- Not at that stage. They would only teach a few books.

26278. Are you familiar with the teaching of English Literature in English Schools? Do you think it is taught in a very brilliant manner? When you were at St John's were you very much struck by the attainments of your fellow-students in English Literature?-They did not know much English Literature.

26279. Did they know much English History?

A fair amount.

26280. Do you think it would be impossible for the Indian scholar at minuteen to best an English scholar in English History at the same age ?—Not a mathematical scholar. If he were only doing History he might possibly do so.

omy count resory as angue possibly to go.

25.281. Do you say it would be impossible to contrive an examination for boys at nin teen which should be fair to the Indian competitor at that age, and also fair to the English competitor at

age, and asso has to the Ingland compension at that age?—I think it would be difficult. 26282. I do not quite understand where the special difficulty would come in?—First of all there is Latin and Greek. An English boy knows those, and the Indian boy does not. If, for instance, as an addition you put Sanskrit and a vernacular language along with that in the curriculum, the advantage of an English boy from his Latin and Greek would come to the Indian boy from his Sanskrit and vernacular language. That

may be a possibility.

26283. If that were arranged for, you think
they might compete on equal terms?—Then there
is not much difference. But there is always the

difference of the language.

26284. I gather that you would be opposed to the idea of a special Training College for Indians and Englishmen, because you attach great importance to a University education for Indians? ---Y p.s.

26355. Can you tell me why you attach this special importance to a University education for Indians?—I think they come to know lots of people, and they come into cutact with many kinds of activities, and so on.

26286. You are conscious of having derived a great deal of benefit yourself ?-Yes.

Continued.

26287. And you think that the view you hold so strongly would be generally shared by Indians who go to England?—Yes.
26288. They would rather prefer to go to

Oxford or Cambridge than go to a special Training

Oxiding 7 - Ves.

26289. I see you are in favour of simultaneous examination, and that you think that if there is the least difference between the examination of Indians and the examination of Englishmen the Indians would be regarded as socially inferior?-

26290. But you go on to suggest a very considerable alteration in the corriculum of the competitive examination: you wish to import Sanskrit and Arabic ?- Those are there already,

26291. But you wish to enlarge the number of marks so as to bring them level with Latin and Greek; and you wish to add Indian History, Indian Philosophy, and Hindu and Mahommedan Law?-Yes.

26292. In other words, you contemplate an examination at which, with the exception of two compulsory subjects, an Indian may be examined upon one set of papers, and an Englishman may he examined upon another set of papers?—Even now there is a similar difficulty. One Englishman may be examined upon one set of papers, and another Englishman on another.

26293. If the curriculum of the examination is altered as you suggest, will it not practically be the case that the Indian will, with the exception of these two subjects, do one examination, and the Englishman, with the exception of these two subjects, will do snother?—Not altogether. There are 6,000 marks. If a man takes all of them they would be worth about 1,500 or 1,800

26294. You are aware that the papers set in Sanskrit would not be looked over by the examiner who set the papers in Latin and Greek !- Yes.

26295. And that your Oriental papers, which would largely be taken up by Indians, would be examined and looked over and marked by a examined and noised over and marked by a different set of men from the papers which would be largely taken up by Englishmen?—And the papers in Latin and Greek would be by different examiners from those who examine in mathematics.

26296. Perfectly true. But my point is this. It seems to me that under the guise of simultaneous examination you are practically proposing a scheme of separate examination ?-No; it is adding one or two more subjects, as, for instance, when geo-

graphy was added three or four years ago.

26297. You have a set of Oriental subjects,
con petence in which would enable an Indian pupil to Jass; and you have a set of western subjects, competence in which will enable an English student to pass "- Competence only in these subjects will not enable an Indian to pass, 26298,

26298. Very nearly 2—I do not think so. 26399. You observe in your answers that an Oxford man who takes the degree in Litterse Humaniores could practically get the maximum number of marks without taking an additional number of mates without taking an additional subject; and now you are projesing that Sanskrit and Arabic should have the same marks as Lakin and Greek?- A man dece not do both languages. He does either Sanskrit or Arabic; so that he will only take one.

26300. Arabic is marked as highly as Latin and other Indian subjects; you suggest Indian Law, Indian History, and Indian Philosophy; do you not propose that a man would be able to pass in upon those subjects?—No. I look at the marks. Two years ago out of 800 marks the bighest number was 511. Ordinarily a student gets 300 or 400 marks in Sanskrit.

26301. You are proposing a different scale?— On the same ratio out of 1,100 marks the marks obtained would be about 500 or 600, unless the man is a great Sanskrit scholer.

You have indicated what, I suppose, is 26302. perfectly true, that the examination in London is so contrived as to give special facilities for mon-trained in English Universities?—Yes.

26303. And that the marks have been adjusted with very great care so that men who have passed out with high honours at Oxford and: Cambridge may be able to take a good place at the examination without the belp of the cram-

mer?—Yes, generally. 26304. The object being to secure for the. Service the best brains the English Universitiescan produce ?- Yes.

26305. You are aware that an examination widely diverging in character from the stable courses of our hest Universities would generally

be regarded as injurious to the educational interests of our Universities?—Yes, 26306. I gather from your very interesting Memorandum that the Indian Civil Service examination as at present constituted does diverge very widely from the staple courses of Indian. Universities?—It does not. It only goes a little further. Our subjects are practically the same except that we do not go in very much for Latin and Greek. Mathematics and Science are the same.

26807. Am I not right in saying that a brilliant M.A. student in an Indian University: will only be one-third on his way towards the Indian Civil Service?—Yes.

26308. He will have to take up two extra-subjects?—Yes. 26309. That, surely, is a great divergence?— So, also, is it at Oxford or Cambridge. The man who takes mathematics at Cambridge has to read who takes manufacte so cannonge has to read privately some other subject. I find that good Wranglers get only 1,800 or 1,400 marks. The man who takes only the Science Tripos at Cambridge also gets only that number of marks, and he has to make the rest up by other subjects.

26810. The man who has had a four years' course at Cambridge in Science can get the maximum number of marks without any additional work?-No, I do not think so,

26311. He would be near the maximum ?-But this man has two Triposes, and not one, the Mathematics Tripos and the Natural Science Tripos, practically two M.A.'s of the Bombay University, and so on.

26312. If the staple of your Indian M.A.

examination only equips a man with one-third of his necessary outfit for success in the Indian Civil Service competition, do you not really think that he would be tempted to scramble through the remaining two-thirds in rather an uncatisfactory way?—That s what everybody does in England: he mainly depends upon one subject, mathematics, for instance, and scrambles through the others. The classics man gets about one-third of the marks from these other subjects: he does not get the same percentage of marks in them.

Continued.

26313. In other words, you think there would be no danger of cramming in India ?- No. I do not think so.

26314. Can you tell me what steps a young Indian who has an M.A. in English Literature would take to work up for the Indian Civil Service in India ?- I think, first of all, the man will not go in for the M.A. He will go in for the B.A. and afterwards prepare for the Indian Civil Service. To go in for the M.A. would spoil his

chances altogether. 26315. What assistance would be get from his University in this course of proparation ?—He will not take a regular University course. If he wants to take Modern History he will take one course, say, General Modern History, and leave aside the other part of the course for M.A. For instance, if he wants to take Science, he will take up one Science, and so on.

26316. From twenty years of age onwards he would be specially preparing himself for this examination, picking out his courses in the University; here one, and here another, with such assistance as he could get from the University?— Yes.

26317. Supposing we consider the question as educationalists, setting aside all questions about Civil Service ambition, and so on, if you were devising a scheme of examination which was calculated to bring to the front, without any undue forcing, the best young men in India, would you select an examination which had been devised for the English Universities, or would you construct an examination which was congenial to the courses pursued in the Indian Universities ?- I think the courses are nearly the same. We are approximating more and more to the English courses. In Bombay we have recently had a change of courses. From eighteen onwards the student does only one subject in addition to English. We are approximating more and more to the standard of English Universities in that way.

26318. That tendency is increasing, you think ?-Yes.

26319. So that speaking as an educationalist, considering the interests of education alone, you do consuming our migrests or cameanon atone, you do not think that any injury would be done by imposing this exotic examination upon the students?—No.

20320. (Mr. Macdonald.) Since we started our investigations, the most important problem our investigations, the mass importants problem which we have been trying to solve is how to find the expert for Indian Government, and the first part of that problem is how to recruit. I understead that the body of your evidence deals with that particular point?—Yes.

26821. There seem to be two schools that have come before us. One school says that the recruit should be taken from the man who has the fullest general culture, that is, the University

Graduate?—Yes. 26322. The other school says that we should get a youth of good ability and then specialize him upon Iodian subjects?—Yes. 26323. I understand from your evidence that you belong to the first school?—Yes.

26324. There are certain objections to the proposals of the first school. Will you help me with your views upon them? First of all, it is aid that the men who come out after a University training are really too old to accommodate them-selves to Indian conditions. Have you had any experience upon that point?-I have not had

much experience, but from what experience I have had I do not think that that applies.

26325. You do not find that the Englishman who has gone through Oxford and Cambridge, and who has undergone a year's probation at a University, is too hard in his mind to become sympathetic with Indian conditions?—I do not

thiak so. 26326. Do you not say, over and over again

in your evidence, that there is a lack of sympathy, and that there is not sufficient social inter course ?-That cannot be got over by taking them young. 26327.

Let us take it stage by stage. alleged that that is one of the defects which has been experienced, and it is also alleged that it is because they come out old. But whilst you adm't that the allegation is true, so far as your experience is concerned, you do not think the reason assigned

to it is the proper reason? That is so. 26328. That is what I wanted to hear year cridence upon. Do you not think, as a matter of fact, and from your own experience of men, that if you bring a man of 23 or 24 into a new climite, with new social circumstances, and to a very large extent a new circlization, he is a little bit old for accommodate himself to it?—No. I do not think so.

26329. Let me put it from your point of view. Supposing England were governed from India, and the Indian Governors were kept here upon an oriental training and not upon a western training at all, until they reached the uge of 23 or 24, and were sent to the West to govern sympathetically over the English, do you not think that age would be a little bit too old ?-No, I do not think so.

26380. Let me put a simpler problem to you. Supposing no Indian Stadent came over to England until he reach d the age of 24, would be then make the same use of English educational facilities as he could make if he goes over after he passes his B.A. degree at the age of 20? - Bremse the facilities there are intended for younger

boys, 26331. I think you could answer the question your could answer the question. Supposing without raising a new condition. Supposing facilities were given to a man of 23 or 217-He would then have more advantage, I think.

Would he then learn more by coming in and taking advantage of the fallities given to a young man at the age of 24, or would it not be altogether to his advantage to come in at an earlier age and take the facilities given at that ago and work up through them to the facilities given at the higher age? - I think it would be, on the

whole, better for the man to go up older.

26333. When he had got his mind pretty
well fixed with the education and the experience
and social views of his old civilization?—He can judge of what is better there, and what use to make of the new conditions he sees there.

26334. How far does habit enter into judgment when you reach the age of 25 in the case of the ordinary man?—Not very far, does it? 25335. I will leave it there. Another objec-

tion has been raised with the probation for this expert for whom we are all hunting and have been hunting for weeks and months,-that if you put your open competition age at after ?0, then you have not got a sufficient opportunity of giving your selected men probation?—The lawyer comes and tells us, in Law; the Civil Servant says, in political instincts.

26

The lawyer wants more training. He admits that he cannot get it at this late age. Civilian wants general and better political training, and he admits that he cannot get it at this late age Cannot a good deal of this education be obtained by training ?- I do not know, I think he can get sufficient training after he is 20.
26337. You think that the man passing his

open competitive examination at this late age, and then trained afterwards, can first of all have sufficient training in the work he has to do, either as a Judge or as a political Civil Servant, and then after all that training can still enter into Indian life, and give you satisfaction?—To get legalor political training he must first of all have general culture. General culture will help him to get that training.

26338. We will take the point of the age. We may agree that you require a certain amount of culture. The light I want you to throw is upon the one little definite point of the age. Can he get this adequate training in the law, on the one hand, and political instinct and judgment and handling of matters, on the other hand, by passing the open competitive examination at the age at which he is supposed to pass it at now?—Yes, I think so.

26339. In order to get your evidence quite consistent and complete, the objection you take to them, from the point of view of probation, and so on, you do not attribute to the fact that the age is late?—I do not think so.

26340. Now let us go to the other school. I think we all see that there will be certain difficulties so far as the Indian youth is concerned if we

ties so rar us the annual potent to concerned to lower the age ?—Yes.

26341. Various proposals have been made. Mr. Fisher has gone over the ground, and I should wish to ask you in order to lead up to the point I want to get at. Do you think it is possible, or do you think it is impossible, that we can readjust the advantages given to young Indians as compared with young Englishmon by a change in the examination?—I do not quite follow you.

26342. Supposing we fix the age at 18 or 19, do you think we could devise an examination do you than we could nevise an examination paper which would apply equally to the young Indian student of that age and to the English student of that age?—It will be difficult to devise the whole examination.

26843. But by providing for alternative sub-jects?—I think it would be difficult.

26844. But would it be impossible, by following the same system we now follow and enabling the student to select a number of subjects on which you could give him the maximum number of marks, to so adjust the differences between English and Indian education that the examination will be an equal test of general culture upon both sides of the competitive cadre? - You would both suces or the compensative cause. I have to put in a large number of alternative subjects which are not thought of. Vernaceders would be a subject which nabody has thought of yet. 26345. I do not want to go into details. Will

26345. I do not want to go into details. Will you give me a more definite answer? Do you think you give me a more definite answer: Do you similar to could be done?—Possibly, but it should be done. 26346. On the same basis as our present 20346. Un the same hass as our present examination papers, not putting in Vernaculars which would be for the purpose of giving the Indian an advantage, but selecting subjects which would really indicate the governing capacity of the successful candidate?—I do not think so.

26347. We have had proposals of another kind, ess., that you should select Indian students under scholarships at a very early age, 14 or 15 I understood you to say, in answer to Sir Murray Hammiek, that people would be found willing to send their children on the inducement offered to them at that age?-I do not think it would be useful in the interests of the country to send young

destin in see insecusio or the country to send young-boys at that ago.

25584. But do you think people would be found to do it?—Yes.

26349. Would that, in your opinion, give you a type of Indian Civil Servant who would do better than the present type of Indian Civil Servant?-

26350. De you think it would be possible from an educational and political point of view to select possible candidates at an earlier age in a profitable 26351,

You do not think it would; why?-A boy may be very preceedious at 13, if you select hini at that age, but he may fall off afterwards.

26352. But he may be precocous at 19?—
There is a difference in precocity at the age of 19

or 20 and presently at the age of 13 or 14.
26853. Would you give us another reason?—
If he stayed in Rogland for ten years he would forget all about India; in fact he would be

denationalized 26354, Would you be able to draw from the elasses which are known as the educated classes, at the age of 14 or 15, pupils who when they obtain further adocational facilities would begin to show their ability? -If you select a number of men, a large number of them would prove failures.

26855. I will put it to you in this way. Do you find in your experience, as the head of Fer-gusson College, that a large number of men come from classes who are not in a position to show their educational attainments and promise at the age

of 14? - Yes

26356. You find that ?—Some people who show promise do not always become good afterwards;

whereas other people who do not show promise do become really good afterwards. 26357. I have a feeling, perhaps you will tell me if I am right, that if you select at the age of 18 or 14 you are not only passing over individuals, but you are passing over great classes who have not had the educational facilities at that time to show their powers; they are in some obscure schools, they are still coming along; and you must select at a much later age if you are going to select the very best intellect India can produce. Do you agree with that ?—Yes. 26353. If you do not get your simultaneous

examinations, you are willing to give scholarships from universities?—Yes,

26359. After they have passed their B.A. degree?-Yes 26360. I think there is some misunderstanding

about your scheme. You want three students from each university?—Yes. 26351. But only for one of them do you want the Government to provide a scholarship?-The Government is to provide all the scholarships, but

coverament is so provine as the somewhat is, but it has to make the choice of the third man.

26362. And then they go through the usual procedure?—Yes, they will see the list; and if actually the third man does not belong to the

actually the cult. and community they will select the fourth.
25363. And the selected man will go through the usual training in England, and so on? - Yes.

26364. Then putting all these points together, you are of opinion that we cannot think of selecting Indians at, say, the age of 14 or 15 ?-Yes, that is so.

26865. And that if we try to select them at the age of 19 the crux of our difficulty will be in the examination paper to equalize the Indian chance and the English chance?-Yes.

26366. If we get over that difficulty, the rest would be smooth sailing, so far as you are

concerned?—Yes, I think so.
26367. There is one other point. Supposing we cannot give you your school, could you help the Commission with suggestions as to how this esprit de corps between the English and Indian could be made better than it is now? I am interested in what you say in answer to question (SS). You know what happens to a young man who comes here now. He is posted to a district, and he goes on with the technical part of his work? - Yes.

26568. Could any influence be brought to bear upon him which would introduce him to these lines of life which you have laid down in your answer to question (33), short of your own proposal? - I do not know, unless you put him

under an Indian officer.

26369. That is one of the things. You think it would be a very good experience for the young Englishman that at some time during his probation here, not necessarily during the whole of his probation, he should be put under an Indian officer ?-Yes.

26370. So as to understand Indian things?-

Yes

26371. Have you found out that sufficient care is taken with respect to the superior officers to whom these young men are posted?—No.

26372. (Mr. Sly.) You are the Principal of
the biggest college in the Bombay Presidency?—

26373. Would you kindly tell us what careers

must attract the best students of your colleges ?— The Indian Civil Service would be the biggest attraction, if they can all go in for it,

26374. What are the other attractions ?-Some go in for Law, and the lower Government service.

Which is the greater attraction to the 26375. best students, Law or the lower Government service?—I cannot say. It all depends upon what connections a man has. If a man has a lawyer relative he would probably go in for Law, as his relative might be able to push him on in his career.

26376. As far as you can judge, those two would be about equal?—Yes, I think so. There are not many chances of rising high in the Government service. If there were many chances of rising high in the Government service they would prefer it.

26377. Are there many posts available in the higher Provincial Service?—No.

26378. There is very little direct recruitment?

26379. If there were more direct recruitment, do you think it would be more attractive?—Yes,

after the Indian Civil Service.

26380. In one place you have stated that the number of first-class Indian students who are unable to go home to England to pass the examdontion is probably not as great as the number who do go home and pass?—Yes. I am talking only

of the Bombay University of which I know some-

26381. What class of student do you refer to, the M.A. ?-The B.A. generally.

2638?. You think that at least half of the more brilliant B.A.'s already go home to study for the Indian Civil Service? - Yes, if they are of the proper age, and so on. The age limit outs it very fine. If a man loses one year he cannot appear for the Indian Civil Service, and he does not think

going in for it. 26383. Then the difficulty that you put in the front is the expense. You have stated so far as the expense is concerned that it would be "the

enormous amount of money "?-Yes.

26384. I should like to understand this clearly What is the "enormous amount of money "? If simultaneous examinations were introduced, surely the monetary difference between the two would be the cost of a second class passage to England and Lack, plus a month's residence in London. Is not that what you mean by "the enormous sum of money"?—If a student wants to go to England he wants to go and study.

263S5. But the introduction of simultaneous examination will not affect the point, will it? The actual monetary loss he suffers is what I have mentioned !—It would be two or three thousand rupees. He does not consider it worth his while to go. If the examinations were held in India he would take his chance

26386. But what would be the amount of money at issue !- It would be about Rs. 3,000, if he were simply to go up for the examination.

26387. Do you know from your experience whether a substantial number of Indians who have succeeded in the Indian Civil Service and in the Indian Medical Service have gone to England by the expenditure of their own mans or by subscriptions given to tham by their relatives or classfellows, or by Syndicates, or some arrangement of that kind?—A great number have gone to Eng-land with funds borrowed from some people.

26388. I know of three or four who have succeeded in that way ?-Yes, some have gone in that way, and some have gone with their own

26389. There are a certain number of brilliant students who go to England either with their own money or with money subscribed by their class friends. How many brilliant students are there left in India who are unable to go on account of their not having their own money, or who are unable to horrow?-I should not think more

than as many.

26390. You have examined the question of Service, and you have come to the conclusion that open competition does satisfactorily meet, at least to some extent, the desire for that representation among the community ?-Yes.

25391. You have also expressed the opinion that with educational advancement amongst the Muhammadans and other castes, any present evils should be rectified in course of time? - Yes.

26392. You have examined the statistics?-

26393. If you look at the statistics for the past ten years, 1903 to 1912, you will find that there has not been a single successful candidate from the Panjab, from Central India, from Rajputana, or from the Central Provinces. Do you Mr. R. P. PARAMJPYE.

continued.

think that that is a reasonable satisfaction for all castes and communities? - Only last year a man

named Ramchandra passed in the Punjah. 26394. Do you know the number of Muham-madans who have passed?—Nine Muhammadans passed.

26395. There are nine Muhammadans in the Service at the present time ?- Yes.

26396. How many have passed within the last ten years? It appears that in those ten years we have not had a single Muhammadan who has passed from Northern India. Do you think that this points to open competition as a method of procuring the representation of eastes and communities?—If you go in for Muhammadaus for one particular Province, it may not. Very few have passed altogother. 26397. In your answer to question (7) you say,

"Dame rumour has it that in some cases the results of the open competition for the Provincial Civil Service when it was open were faked so as to get a previously prepared result?" Can you tell us by whom that examination was conducted !-I should not like to say in public. If the Hall is

cleared I will give the details.

26398. If such a rumour has arisen with regard to the Provincial Civil Service examination, do you think there is any possibility of disastisfaction arising from the simultaneous examination on similar grounds?—No 1 Ldo not think so, if it is conducted by the Civil Service Commissioners.

26399. But supposing it happened after the introduction of simultaneous examination that for some years no Indian candidate appeared in the list as successful, do you think that would cause dissatisfaction? - No; I do not think so. People have confidence in the Civil Service Commissioners

26400. Do you think it would give rise, as we have been told by certain witnesses, to a feeling that English examiners were wholly cut of touch with the habit of mind of the Indian student, and did not appreciate him properly ?-No, I do not think so.

26401. Under your scheme you have suggested one year's probation for the European who passes

in England, and two years' probation for the Indian who passes in India?—Yes. 26402. How are you going to equalize their position on the list when one has a longer probation than the other; will not that create some difficulty?-It would create some difficulty; but now-a-days even a difficulty sometimes is created. now-analyse even a dimension of constants in the con-traction in the first part of probation, and he is not able to appear at the final examination, he is given a year more. His position, also, becomes rather difficult.

He does not lose his position in that case?-These people who get two years' probation may be willing to have the next year

20404. That would mean that Indian candidates would be penalized for one year?-I should not mird that

We have had a good deal of evidence that one year's probation is worthless at present. Say posing that were done away with, would you still insist upon two years' probation for an Indian candidate?—If he parees in India.
26406. Then you would penalize him by two

years ?-Yes.

20407. During these two years in England you have suggested that the Indian candidate should take an Honours degree ?-Yes.

26408. Why do you wish him to take an Honours degree instead of a specialized course of training? I want him to be a university student and get culture. Culture can be obtained at the university. And he must not waste his time, A second class graduate of an Indian university gets exemption for one year, either at Oxford or Cambridge

You want him to undergo two years' 26409. general education in England at the expense of the State?—Yes, general education in England.

26410. Do you think it is a reasonable proposal that the State should pay for two years? At present the State already gives him £100. 26411. That is for a specialized course of study

to suit him for his particular calling ?- I should not very much press that point. If he has already passed I do not think he would mind spending the money himself. 26412. In your schome for an Indian college

you lay particular stress upon the necessity of: European candidates being properly taught social etiquette and social intercourse with educated Indians?—Yes.
26413. And you state that unrest would have

been considerably less. Do you think that unrest was due to a cause of that nature and was not on much deeper and broader issues than you have suggested ?-No, I did not say that it would not have come at all; but I say it would be less.

26414. You think that but for this cause the unrest would have considerably shrunk?—Yes.

26415. With regard to your recruitment for the Provincial Civil Service you have suggested a. limited form of competition ?- Yes,

26416. I understand that you wish to restrict: that to candidates who are M.A.'s, or who have passed their B.A. degree in the first or second class? -Yes

26417. That is to say, you wish to strike out as ineligible the B.A.'s who pass in other classes? -That gives high intellectual qualifications.

26418. How many first class and second class: B.A.'s are there in the Bombay Presidency?—Now, about one hundred in the second class, and about six in the first class. 26419. And M.A.'s?-I should think there

would be about fifty or sixty M.A.'s, but I have not got the figures.

26-120. So that the available field for recruitment would be about one hundred men a year?-These are the B.A.'s; and there would be a few B.Sc.'s in addition; but not more than 150, at any rate.
26421. Then you suggest that the pay of the

Provincial Civil Service should be between one-half and two thirds of the pay of the Indian Civil Service for the same number of years' service?-

26422. That means that you suggest that both of them should be on a time-scale?—Yes.

26423. Irrespective of the duties they have to perform that they should each get a certain proportion?—The Civilian gets paid according to the time-scale.

26424. Take the Provincial Civil Service. The bulk of them are regruited from the service to

the bulk or them are reported from an acceptable do Deputy Collectors' work?—Yes.

26425. Do you suggest that a man, although he is doing a Deputy Collector's work, should rise to one-half or two-thirds of the pay of a Member of Council ?- A man does not rise to a:

### Mr. R. P. PARANIPYR.

continued.

Commissionership automatically: he rises to a Collectorship automatically. For a Commissioner-

ship there is selection.

20426. Where do you wish your time-scale to stop?—When there shall be selection I want it to be different. If a man is good at his work he

ought to get his rise according to a time-scale

unless he is put back.

26427. If you apply your rule to the lower grade of Assistant Collectors you will do the Provincial Service men harm because they get more than two-thirds already. If you wish it to apply to Collectors, then you will have the same rate for absolutely different classes of work ?- I think a Civilian of ten years' standing gets on an average Rs. 1,000, and I should think that a Provincial Civil Service man of ten years' service should get Rs. 500.

ns. nov. 26428. (Mr. Gokhale.) You had a Government of India Scholarship. If you had not obtained a Government of India Scholarship, do you think you would have gone to England?—No. 26429. You are in favour of simultaneous

examinations?-Yes.

26430. And you think that the institution of such examinations is not likely to lead to the swamping of the service by Indians ?-No.

26431. You think that contingency is most remote?—Yes.

26432. And therefore you do not want to lay down any minimum for European members of the service ?-That is so.

26433. Is not your reason this that very pro-hably the need for such a minimum will not arise?-Yes.

26434. And you would not lay down any figures or proportions that needlessly involved racial considerations ?-That is so. 26435. Further, if the need did ever arise,

you think that it would have to be dealt with on a consideration of the circumstances of that time?-26436. And you could not usefully lay down

anything today to meet the requirements of that time?-No.

26437. Therefore you would leave the whole thing to work itself out ?-Yes.

26438. In answer to question (4), you say, "Candidates who just fail to get into the Indian Civil Service (who are therefore below those who do get in by only a few marks, generally not more than a hundred or two out of six thousand) willingly take the Colonial Service with much worse pros-Take the Ceional Service with mats worse process of pay and the equally central prospects of exile in a toreign land." Will you explain this a little more fully 1—1 have examined the pay and though the the pay and the pay Civilian can rise is worth £2,000 a year. They begin at £300 a year. The Colonial Scoretaryship in Caylon is by selection, but ordinarily the highest people in the service get Rs. 1,700 to Rs. 1,800 a

26439. What is the highest grade, after the Colonial Secretary, is it not Rs. 2,000 a month? No.

26440. And the men are taken on the results of the same examination?-Yes. 26441. And the cost of living in Ceylon is

about the same as in Madras ?-Yes. 26442. And they have to make remittances for their wives and children in England just the

same?-Yes.

26443. In answer to question (6), you say that you advocate simultaneous examinations because this would do away with the feeling of injustice which many promising men have. Do you attach very much importance to removing this sense of injustice?-Yes.

1918stee: - 1es.
26444. I suppose you are in a position to speak about this sense of injustice from your knowledge of the best men who come out from

your college every year?—Yes, 26445. What is the feeling?—The feeling is that we are nominally told that we have get equal opportunities, but that really speaking the opportunities are not the same.

26446. Do you think it would be a matter of political wisdom to remove this? - Yes.

26447. Because, otherwise, in course of time there would be a political danger in allowing this feeling to grow ?—Yes.

26448. In your answer to question (6), you give us an estimate of the cost of holding simultaneous examinations in India. Are you quite sure that your estimate is correct?-I found afterwards that £5,600 would have to be reduced by £800, because there is no practical examination in Geography; it ought to be £4,800.

26449. Then how about Continental languages? -They need not be examined in in India.

26450. But there are some facilities for teaching French, are there not? - Not so very much.

26451. The Bombay University recognises it,
does it not? - The Bombay University recognises

French, but it is very little. The students do not know how to speak French. 26152. German and Italian are not recognised?

Yes, German is now recognised.

26453. What would be the cost then ?-£4,800 for Sciences according to my estimate. £1,800, again, would cover the expenses of the examiners in those subjects in England also. The expense in England would be lessened by a part of that amount.

26454, What would be the net cost to the State of the institution of simultaneous examinations ?--£6,000 a year.

26455, And not £10,000? -- £10,000 would cover it under all possible contingencies.

26456. You have put the maximum figure?-Yes, I have put the maximum figure. It will never be more than that.

26457. You have been, I believe, an examiner in Mathematics at various universities in India?

26458. An examiner at the M.A.?-Yes,

26459. Then you know the calibre of the students who go up for the M.A. in Calcutta, Bombay, and so forth?—Yes.

26460. Supposing a system of simultaneous examinations is instituted, can you tell us, with your knowledge of Indian standards, how many candidates would be likely to appear in the first fewyears?—I do not suppose that there would be more than half a dozen in Bombay, with any prospect of success.

26461. How many would there be for the whole of India?—I should think about fifty for the whole of India.

26462. How many from Bombay, do you think, would have a reasonable chance of success?-Not more than two, I should think. Certainly not more than two would have a reasonable chance.

1st March 1913.7

Mr. R. P. PARANJEYE.

continued.

26463. Would they come from the first-class B.A.'s?—As I told Mr. Fisher, the M.A.'s would

not have much chance.

26464. How do you make out that the M.A.'s would have no chance?—The M.A.'s have M.A.; would have no connect—1.05 M.A.; anare to do one subject only, and at least two, or more than two, subjects would be required for the Indian Civil Service. If a man appeared for his M.A. when he was 22, he would have no time to

do other subjects.

26465. Looking at the curriculum, you could not make a total of 6,000 marks for, say, an M.A. in Mathematics, who wanted to go up for the 11. C.S. with the present age limits, namely, between 22 and 24?—Even for the M.A. he would not be qualified for the 2,400 marks. There are two quantat in one 2,400 mars. There are two courses of M.A. in Calcutta, the "A" course and the "B" course. For the "A" course there, is pure mathematics, and for the "B" course there is applied mathematics. In Bombay there are 18 applies mathematics, an accounty but two courses in mathematics, one mainly pure and a little applied and the other vice verad. In the Indian Civil Service both pure and applied mathematics are required. If a man passes both the "A" and "B" courses he will be prepared

to appear for 2,400 marks. 26466. Can he take both courses in Bom-

lay?-Not in the same year.

26467. So you think the probability is that if simultaneous examination is instituted, after taking their B.A. degree candidates will begin to read for the Indian Civil Service ?-Yes

26468. And only the most brilliant amongst them will have any chance of passing?-Yes,

that is so.

## (Adjourned for a short time.)

26459. In your answer to question (6) you state that in your opinion erammers will not come into existence even if simultaneous exam-inations are instituted. Will you state precisely the grounds on which you base this opinion that crammers will not come into existence, because other educationalists have stated that eranguers will come into existence?-In the first place the crammers required for exaching L. C. S. candidates must be men of a very high calibre, able to must be men or a very mgn campre, now to teach subjects to a standard higher than the Bombay M.A. It is difficult always to get men to teach to that standard; even as it is you find in the teach to that shandard; even as he is you and in the Indian Educational Service that there is a great difficulty in getting the mea of a right calibre; the Secretary of State finds very great difficulty ingetting good men.
26470. You mean that local men would not be

available to do the work of crammers?—That is so. 26471. May not men come from England?— They do not come in the Indian Educational Service. If you want a man to teach history or mathematics so as to be able to coach up a man for the I. C. S. he has to be a teacher of a very high order of merit, and he probably would not come

out to India

26472. The men who are available in India will not doit, you think?—No. They might give some help, but they will not be able to do the some help, but whole ceaching.

26473. You also speak of the alleged memorising powers of the Indians and you say you do not believe in the existence of those powers?—It is often said that Indians have not any real origiis otten sau that include have not any real origi-mality, that they have only the power to cram up lots of things by memory. I think that is an unfair allegation against Indians, because whenever attegation aguinst animps, necesses whenever Indians have had a chance to do original work they

have done it. In the Indian Educational Service there were several Indians who had done good original work when they had the same opportunity as the European members. When they both have the same opportunities they do the work. 26474. You mean that to the extent to which

there has been memorising it has been the fault of the system of teaching in this country?—Yes, memorising is common everywhere, in England as

well as in India.

26475. You do not think it is a particular attribute of the Indian intellect?—No, I do not. 26476. Now I want to come to a few general questions. Some witnesses have state! that there is no necessary connection between intellectual and moral qualities, and they therefore say that success in a competitive examination does not success in a component or animation uses not necessarily mean the possession of certain high-moral qualities which are required in the administration of this country. To what extent do you share that view I—I think that view is not correct. You will find that generally a man of high intellectual culture is also a man with desirable moral qualities. There may be exceptions, but I think you will find that is the general rule. In India particularly it is more than the rule, because when we are educated according to our present Western ways we imbibe ideals altogether new to us. ways we hanno means acceptant has risen to its high see, for instance, how England has risen to its high position and we naturally compare our history We with English history, and an Indian who has had an English education looks to see to what that an English caucation rouse to see that it is due English position is due, and he sees that it is due to the moral qualities of Englishman. Therefore as soon as a man appreciates this difference he naturally tries to imitate those moral qualities so far as he can

26477. Would you put it this way, that, exceptions apart, in the case of Indians who receive a Western education, the more highly cultured a man is intellectually the greater is the probability of his possessing certain moral qualities?—Yes, certainly,

26478. You would go as far as that?-Yes

26479. You have made some statements about the British spirit and you have said that some Indians do acquire it and that not every Englishman possesses it. Will you tell us to what extent Indians who have received a Western extent liminals who have received a system education in India only acquire this British spirit? You were educated here and you know several other men who were educated here and who went to England afterwards. Comparing their acquisito anguard ance wants comparing over negative fit in 6 this British spirit after they had been to England with what they possessed of it before they went to England, could you give us your epinion upon this point?—I certainly think they do get more desirable qualities if they have had an English education than they do if they had an engrass concasson some energy on one, have that education here. They are in the surroundings in England and are unconsciously imbiling certain things and unconsciously acquiring certain qualities which the British possess. There ocyana quantess when our series possess, another instance, a sense of fairness; they see everywhere in England a greater sense of fairness and a greater sense of what I may call discipline: and a greater sense of want a may can unsequence; that is to say, they are willing to obey orders without thinking about the matter if orders are given to them from above. They will argue about them, but for the moment they will obey and not reason about them. Further there is the each other. I do not say they are exhibited always by erery Indian or by every Englishman, but except when personal considerations come into

play you will find these qualities more among Englishmen and among Indians who bave been

educated in England.

26480. You think therefore that if a sufficiently high degree of education was received by an Indian here, and he afterwards went and stayed for two years in England, as you propose, he would acquire in a sufficient degree this British spirit that is thought to be necessary for the administration?—Yes; besides that the Indian would know what the Indians think,

26481. That would be to his advantage?-That

would be to his advantage.

26482. A question was put to you by Mr. Fisher about certain alterations in the curri-culum which you have proposed. He asked whether your scheme did not in effect amount to one examination for Indians and another examination for English candidates, and you did not agree with that view ?-No; it will not be a

separate examination.

26483. Assuming, however, that that view was correct, namely, that the result of the changes would be to have practically two separate examinations, would you still insist on those changes if they were likely to jeopardise your scheme for simultaneous examinations?-If it is thought that these changes really mean a different examination I would not insist upon them. 26484. You would let them go?—I would

not have those subjects introduced

26485. One or two questions were put to you by Mr. Macdonald about the age of men who come out to India and the sympathy or want of Does this sympathy sympathy that they show. or want of sympathy depend on the age of a man or upon the surroundings into which he finds himself thrown on his arrival?-It depends on his

surroundings.

26486. The society into which he is thrown?—Yes. He has also his Indian subording the subording through the in the subording through the in the subording through the in the subording through the in the subording through the sub nates; he has no Indian in the district who is his

equal; they are practically all his servants. 26487. Other things being equal, a young man of 19 or 20 is more likely to take the views of his superiors in such matters than a man of

in september of the second of England, is it not within your knowledge that men have gone at a comparatively late age, have stayed there a short time, and have imbibed the best English spirit during that time?—Yes, that is the object of sending mature people rather than sending boys. I have seen lots of boys who have been sent to England who have been altogether spoilt.

26489. With regard to the total cost involved in Indians going to England for the competitive examination, you said that if it were merely the passage and a few months' stay it would cost about Rs. 2,000 or Rs. 3,000. But would anybody go on those terms?—I do not think so. I know two or three instances I believe of men who went in that way but they did hopelessly badly. 26490. There have been cases where they did

to just for the examination and did not succeed ? —

I know of two cases.

26491. In all these years?-I know only of ro. It is not a feasible proposition. 26492. (Mr. Chanbal.) In 1895 when yen

were at Cambridge how many Indians were there at the time ?- About 60 or 70.
26493. Is there any impression on your mind

that the Indians formed a set by themselves and

did not mix with the other students?-We had a society of our own there but that did not stop us from entering into the other life of the college, 26494. Did the Indians as a matter of fact

enter into the English life there?-Yes,

26495. With regard to this question of simultaneous examinations, yes think that roughly any system of simultaneous examinations started would amount to a charge of about £3,000 or £10,000?—£10,000 is the absolute maximum.

26496. That is a charge of £10,000 a year on

Indian revenues ?-Yes.

26497. According to your scheme how many scholarships could you found with that amount of

money?—About forty.

26498. And I suppose you admit that with simultaneous examinations there would be a much smaller number of Indians coming out successful than under scholarships?-Yes; at present in fact scholarships would bring more Indians in than simultaneous examinations

26499. That is just my point. You admit that if simultaneous examinations were introduced possibly a smaller number might go to Eng-land?—Yes.

26500. And out of those that do not go, and who appear for the examination here, a much smaller number will come out successful than through the English door?—Yes.

26501. Therefore supposing you were the Secretary of State and had the option of sanctioning anything, do you think that £10,000 of Indian revenue would be utilised better for scholarships or for giving a chance for a number of Indians to enter the Service?—I am taking rather a longer view. In the beginning fewer Indians will get through, but after twenty years I am quite satisfied things will be different.

26502. But for twenty years you are prepared to make India sacrifice £10,000 a year for the bare chance of getting one or two men in ?- The num-

bers will gradually rise.

26503. With regard to the idea of selection at a young age, I should like to know whether it is possible by any process of selection to obtain the best and efficient future servant at the age of 13 or 14?-I do not think it is possible.

20504. Looking back on your own life, is it within your measury that those who have shone subsequently in life would not have been the persons who would have been selected under a system of selection, supposing it had been in operation when you were young? —That is quite true. Taking the age of 15, when the young men appear for the Matriculation, if you take the first ten people who pass that examination you will not find those ten people getting First Classes in the B.A. or M.A.

26505. With reference to a question put to you by Mr. Sly, I think you said that the money saved simultaneous examinations would be about Rs. 2,000 or Rs. 3,000. I do not know whether you quite followed his question. As a matter of fact at present when there are no simultaneous ons a young man has to go and live in examinati England for two or three years?-That is so.

26506. And the living in England is an item of expense which would not count in his own country 2-The expense of living in India is comparatively small.

26507. Living with his family and in his own house it is not an item of special expense at all? -No.

[continued.

· 26568. You also told Mr. Gekhale that did not think there were sufficient teachers out here to set up cramming establishments. Do you mean by that that there are no Indian teachers here whom you think would be capable of successfully tutoring Indians who desired to go up for the Indian Civil Service examination?—There would not be many, T think.

26569. At the same time I understand you advocate the establishment of a special institution out here for the instruction of Englishmen who have passed through the Indian Civil Service nave passed among the condition that the whole of the teaching staff at that in-titution should be drawn from Indian professors?—But the subjects to be taught there are Law and things which are more easily taught than Mathematics, History, Economics, Latin, Greek and French.

You think that in India it is quite easy to find men capable of teaching Law and such subjects but not easy to find men who are efficient teachers in the other subjects ?—I do not eny it is easy, but it is possible to find men who will teach Law and Language while it is not possible to find men who will teach advanced mathematics or physics to the extent required.

26571. I should like to ask a question with regard to the age limit. Have you had any experience of Indian civilians who have entered the service prior to the year 1891?-I know one or two, but not many personally.

26572. I suppose you know a good many Lidian Civilians out here?—Yes, but I do not know them well enough to judge what would have happened to them if they had appeared at the examination at a later age.

20578. I did not ask you that question. I asked you whether you had personal acquaintance with Indian Civilians who had passed the examina-tion prior to the year 1891?—I have.

26574. Are you of opinion that the general education of these men is defective?—It is rather difficult to answer that question, because they have had twenty years to make up for their defect in education.

26575. But are 26575. But are you aware that these men when they passed the Civil Service Examination passed at the age of 19?—Yes.

26576. Do you think as a result of that that their general education has been defective?-I

cannot say; it is difficult to judge. 26577. Would you say that the men who entered prior to 1891 were more inclined to treat their/Indian subordinates with high-handedness than, the men who entered the Service after 1891? -1/cannot answer that question. 26578. Then I may assume from what you

say now that the views which you express as to the autorituate effects of reducing the age limit are annormance encode or resuming the age must are not really based on your personal experience but are your general impressions — No. You do not com-pare them under the same conditions. The newer men I know are young men, while the others are

older men, and you cannot compare the two.
20579. Are you entitled to say that if the age
limit was reduced to 19 the men who came out
would be suffering from a defective education and would be likely to treat Indians with high-handed-ness?—I think I am: entitled to say that. I know English boys of that age and of a higher age.
20580. You still hold that opinion?—Yes.

26581. You say in your written answers that the representation of communities is in your opinion a matter of very small importance ?-Yes.

28582. Then why is it that in your proposals for instituting scholarships you suggest that five out of 15 scholarships should be awarded by the Government in a way that would redress the balance in favour of special communities? If you think that the representation of communities is a matter of no importance why do you make this very large reservation in favour of the representation of communities?-I am opposed to the tion of communities as such in the representation of communities as such in the Service, but I am not opposed to giving them opportunities for making themselves fit. I do not mind giving other communities opportunities for bettering themselves.

26585. I understand the object of your scholar-ships is to enable men to pass the Indian Civil Service Examination ?-To give them a chance.

26584. If that is not the object you have in view I do not understand what your object is. Why do you want to reserve such a large number of these scholarships to be awarded by the Government in a way that will redress the balance in favour of special communities?—Because the through the special communities complain, that is all. I myself think it would be very much better if no such special favour were shown, but simply because they complain, as a practical man I am allowing

they compain, as a process than the them this opportunity.

26585. In your opinion there is a strong demand in India on the part of these communities for representation in the Service?-Yes. I am not going to give them a direct place in the Service, but only opportunities to qualify for the Service.

26586. (Mr. Heaten.) Do you think that if we had simultaneous examinations there would be changes in the University courses?—No, 1 do not anticipate that,

hot antennae was.

26587. Do you think any distinction would be made between those who had passed in India and those who had passed in England? Do you think that the reputation, social and general, of those who had passed in India would be as high as those who passed in England?-I think so.

26588. Your idea is to have equality of treatment all round? -- Yes,

26589. And you are opposed to any differentia-

tion if it can be possibly avoided ?—Yes.
26590. (Mr. Jeglekar.) In your answer to
question (51) you say that the rules are quite suitquestion (0.1) you say was one runes are quite sun-able except that the principle of at least limited competition should be brought into play; so that you accept the conditions laid down by the Government of India ?---Yes.

26591. That a candidate must be of sound health, good physique, active habits, and of good character?—Yes.

28592. Are those conditions to be enforced before the candidates are allowed to appear or. after they have passed?-After they have passed. Just as people who have passed the Indian Civil Service have to pass a medical examination, so these people would also have to pass a medical examination.

25593. Would not you rather enforce those conditions before they appear for the examina-tion?—No. In England the condidates for the Indian Civil Service are allowed to consult the nedical board even before they appear, to see if they are likely to be passed.

26594. The Government of India say that the object is to secure men qualified by a higher standard of general education: will not this higher standard be necessary or do you suggest a separate examination?-I say they should first of all be B.A.'s or M.A.'s.

26595. De you wast an additional examination?—Yes. 26596. What is the object of that?—So as to

scleet the people.

26597. But do you allow them to be rejected on the score of had character or had physique?— The candidate always takes the risk Character will be considered when the application is made, because the candidate must produce proper testi-monials first. That matter will be dealt with in the certificates that are submitted

26598. What about good physique ?-Good physique will come afterwards. After he has passed he will have to go up for a medical examination before he is actually appointed.

22599. What is the object of an examination? -To select among all these candidates

26600. But is not the high educational qualifieation a condition? You will have many people satisfying all these things: how are you to select among them ?-I prefer a competitive examination.

26601. But these conditions are looked to by the Government now?-If there are more candidates than one who satisfies all these conditions then the Government selects according to

certain principles which I do not know. 26602. If there are several applicants the Government choices on these qualifications? -I do not want Government to compare the certificates, which is practically what it does -compare the quality of a certificate of one man and the quality of a certificate of another man. I would have a minimum qualification, but after that I should leave everything to open competition.

26603. Is the high educational qualification a rtificate only? -No. If a man brings in a certicertificate only? -No. ficate as having taken the degree of B.A., Second-class, and has also the other qualifications, I would allow him to appear for the examination. The Government now receive about a hundre! candidates and out of them they see several, on the face of it, are unsuitable. At the end about half a dozen candidates are found quite suitable. If there were only one he would be appointed. They select from the six or saven one without competition.

26604. But they select them on the store of educational qualifications?—Not only on that.

26605. Even after these men pass the examination you will have to reject some of them on account of lad physique?—Yes, every man takes his chance.

26606. The result is the same as that of selection ?-No. Even in the I.C.S. a man may case and be rejected on account of bal physique.

It has happoned several times in England. 26607. In your answer to question (59) you say you think the safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between one-half and two-thirds of the pay of an Indian Civil Service man of the same years' service. Do you know that an Assistant Collector's pay never exceeds Rs. 900?—I am not a specialist in these Service pay questions. The answer was given to the question whether the pay should be at the market rate or something more liberal, and I am in favour of a more liberal pay.

26698, A Deputy Collector of 10 years' standing gets Rs. 600 and an Assistant Collector of 10 years' standing gets Rs. 900. Half of that would be Rs. 450 so that you are rather proposing something unfavourable?—I do not pose as a sometaing untavorance rely on now pose as a specialist on this matter; I only want the Provincial people to be treated liberally.

26609. Would one-half the present pay be

liberal? - The difference would come in in the higher stages. A cirilian of twenty years' standing ordinarily, unless there was something

against him, would rise very high. 26610. Would you take his pay as Collector also?-He is automatically appointed a Collector

unless there is anything against him.

26511. Would you take his service without regard to the post he holds at the time of comperson? Supposing an Assistant Collector becomes a Collector after 15 years' service, do you think a Deputy Collector of the same standing should get two-thirds of his pay? l'ou have said one-half or two-thirds of the pay of an Indian Civil Service man of the same service, but you do not mention the post he holds?-No. There is a tendency now in the Civil Service to make the pay depend on the time-scale

26612. It depends on the number of vacancies? - I would take the average pay that the

civilisa of ten years' standing gets. 25613. A civilian or Assistant Collector ?-- A

civilian, and I would take a Provincial man. 2661 - Take a concrete instance, A Deput Collector starts at Rs. 300 and an Assistant Collector starts at Rs. 409. After 12 years' service the Assistant Collector gets Rs. 900 and after the same service the Deputy Collector gets Rs. 600. Would you reduce his pay because it is more than one-half of the other?—I would leave it to the Provincial Service, I have simply said between one-half and two-thirds

But supposing he is prometed to a 23615. Collectorship after 15 years' service and the Deputy Collector remains at 8s. 700 after the same service, would you compare the Indian Civil Service pay as Collector with the pay of the Deputy Collector?—Yes.

20616. According to you, if a civilian of 20 years' standing becomes a Commissioner, a Deputy Collector of 20 years' standing should get twothirds of the pay, which is Rs. 3,500?-No, a Commissioner is appointed by selection. I would have a time-scale. A civilian has a time-scale and in ordinary circumstances rises to be Collector or

Judge. 26617. Even a Collector of his own grade gets Rs. 2,300 or Rs. 2,500?-And any man

ordinarily rises to that. 26618. Supposing an LC.S. man after 20 years' service becomes a Callector at Rs. 2,500. how much should a Deputy Collector of his standing get?-He should get Rs. 1,250

26619. According to you there should be no grade pay of the Deputy Collector?-I would much rather have a time-scale.

20620. A time-scale or a comparative scale?-A time-scale.

26021. There is no time-scale for Assistant Collectors?—If there is not one for the civilians I would take the average and have a similar scale for the Provincial Cavil Service-

26622. In your answer you say that a man recraited by open competition should receive between one-had and two-thirds. t'erhaps von

concluded.

know that there are Deputy Collectors promoted from the lower Division?—He should get into the Deputy Collector's grade ; he should be put in the

list. 26623. The Deputy Collector's list?-Yes. 26624. And the post of Deputy Collector is to he vacant?-I should have to leave those details,

because I am not an expert. 26625. Do you mean to say there should be a separate list of recruited men and promoted men? No. I think that as soon as a man is promoted he should be put in the apper list. That seems

You think there should be one list of 26628. promoted men and recruited men?-Yes

26627. How would you adjust their pay?— I would leave those considerations because I am not a specialist in the subject.

26628. But you have given your opinion in your written answers:—I give an approximate opinion that the prospects of the Service ought to be improved and that they ought not to be paid strictly according to the market rate. That was all my object in making that remark.

(The witness withdrew.)

Percy James Mead, Esq., I.C.S., Junior Collector.

Written answers relating to the Indian Civil

Service. 26629 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian

oy open compensive examination for the miner Civil Service? Do you accept it as generally satisfactory in principle?—Improvement possible. 26630 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?-The open competitive examination tests (to some extent) the intellectual capacity of candidates only. For both Europeans and 'Natives of India' a system of preliminary nomination is advisable,

26631 (8). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? , what alteration do you recommend ? No. Natives of India should be selected by nomination and examination at an earlier date than Europeans and then sent to an approved University with a sufficient allowance. 1f Natives of India are to be admitted in larger numbers under more favourable conditions, they must be given an opportunity to acquire western standards by long residence and training in England. Their final selection should depend on their success in some approved tripos to Secure their working properly while at the University. As the examination is separate (and might be held in India to secure a wider field: at present money is the chief condition precedent) the numbers must be limited. I should think to begin with a limit based on the average of the last 5 years would be suitable, but this should be revised quinquennially as experience may show that an increase is desirable.

26632 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose 2-No.

26633 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for

Home and Cotonial Univil Services with mast for the Indian Civil Service is or is not to the indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons: L-Ves, if age inties suit. There is a wider field probably: 26624 (b. If you do not consider the present system of recruitment by an open competitive camination to be satisfactory in principles, please state what alternative you would provide the property of the property of the property of the property of the property of the property of the property of the pro-perty of the property  you recommend a system based on any of Do you reconstruct a system used on any or the following principles:—(a) Selection by headmasters of schools approved or otherwise: (b) Selection by authorities in Universities approved or otherwise: (c) Nomination by head-

masters or University authorities and selection under the orders of the Secretary of State: (d) Combined nomination and examination: (e) Any other method?-Combined nomination and examination.

26635 (7). What is your opinion regarding a system of simultaneous examination in India and in Bugland, open in both cases to natural-born subjects of His Majesty?—Vide answer to (8). An examination in India (after nomination) is 'perhaps' desirable to savelexpense to poorer but approved 'Natives of India,' but any large increase or possible increase of Native Civilians with only a small vencer of Western civilisation is to be strongly deprecated. A long training in England is essential if we are to secure 'Natives' with the same standard of efficiency and avoid the administrative embarrassment due to the necessity for frequent transfers. The pay suitable to an European Civilian or to a Native who has adopted European standards is ridiculously high for a Native who has preserved his old standards. However able the latter may be he is not worth the price of an European, qua administrator, because he has not and can never have the same detached position and recognised impartiality.

26636 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—

26637 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Vide (3). No objection to separate examinations in each province if all

papers marked by same examiners. 26638 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India," would be selected in India for admission to the Indian Civil Service by means of (a) numination; (b) combined numination and examination; or (e) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—

Fide answers to (2) and (3). No steps should be taken to represent any classes or communities in particular. General fitness to be secured by

nomination.

Mr. P. J. MEAD.

Continued.

26639 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?-Supplementary to system of promotion to listed posts from Provincial Service.

26640 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (38 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—Yes. 26641 (15). If the system of recruitment by

open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education ?-For the examination (after nomi-

nation) in England I would prefer 21-23. 26642 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21-23 or 22-24 years, followed by one year's probation) ?-I think on the whole that the

latest recruits are too old.

26643 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—As I have indicated I consider that improvements are possible. We do not always draw on the right classes.

20644 (18). What is the most suitable ago at which junior civilians should arrive in India?— Probably 22 or 23 but there are other things to be considered. We shall probably secure the best average by attracting varsity tripos men. 26645 (19). What age limits for the open

competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born "Natives" His Majesty?—Ptile (3). If my suggestions are accepted the examination for "Natives" would be at the age of 17—18 about.

26646 (20). On what principle should the 26645 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Massulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who have the competitive that the competitive that the control of the competitive that the competitive that the competitive the competitive that the may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular

subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period ?—I accept the principle referred to.

26647 (21). Please examine the table ir Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of University-leaving age?—For the examination in England the last syllabus may stand: for that in India the second syllabus will probably require

26648 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (21 & 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict. e. 54) and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]?—Certainly. It is essential to limit the appointment of Natives with oriental standards to all high posts and consequently to lower posts, some of which must be retained for training purposes. I consider that the Schedule should be amended by the omission of four district headships-two judicial and two executive-and a corresponding number of lower posts for training purposes. The above is, I consider, the limit permissible for this Presidency. Experience has shown that frequent transfers are necessitated by these comparatively inefficient administrative officers and great administrative inconvenience is caused.

26649 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what pro-portion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. It must be remembered that recruitment of Europeans will be seriously affected by too large an influx of "Natives of India." have indicated in question (3) my views as regards the limits of recruitment of "Natives." The-c can probably be extended later, but the service must remain mainly an European Service for the present. I imagine that a 20 per cent, limit might be gradually worked up to.

20650 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly which "Matives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section of of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1881 (24 and 25 Vict., c. 43) 7 Do are recommend away alternation; in this conyou recommend any alterations in this system, and if so, what ?-I accept the present system as satisfactory.

25651 (28). Do you consider that the old system of appointment of "Statutery Civilians" under the Statute of 1870 should be revived, and, if

so, what method of recruitment would you recommend ?—No.

2005.2 (37). Does the system by which nost of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—Satisfactory to the parties so far as I know. The listed posts are purchased at the cost of some administrative inconvenience and inefficiency, but I think the service is justified by the effect on the standard of the Provincial Service.

28653 (SS). Is the class of posts listed sritable? If not, in what directions would you suggest any changes, and why 2-Nor Bombay I would out the post of Talkichard Sektlement Officers here bold the same position as Assistant Collectors) the post of Thinkiard Sektlement Collectors is not suited to an unoversanted evillan, as etsoited and echnowledged impartiality is peculiarly essential and the talkidars resent the appointment of "Natives" however capable, whose social position is possibly lower than theirs.

28634 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a protationar's course of instruction in Engiand? Do you recommend the continuance or abolition of this system?—Continue.

28655 (44). What should be the duration of the probationer's course in England (a) under the present system of the open compositive examination, (b) under any modification of that system recommended by you 2-cfcl and (b) one year

and, or under any monoclassical or mass systems recommended by you?—(-) and (5) one year. 26555 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, at an approved residential University.

26657 (48). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Bither Oxford or Cambridge or both. Perhaps one University would be best for all candidates.

28658 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. 2200 +4.53 and free possage on passing out.
26659 (49). Would it, in your opinion, be

zoose (49). Would it, in your opinion, he desirable to establish a separate institution in England for this parpose, and, if so, under what conditions ?—No.

28600 (50). If a probationer's course is continued in Bignár, do you except the principle iaid down by Lord Macutlay's Committee in 1854, that successful ennidiates in the open compettion should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit than for their calling? Does you canser apply quality to candidates who pass the open competitive examination offer leaving school and to those who do so after completing a University course I—Yes.

course (-res. res. 26661 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for

probationers in 1891 and 1912, and state what, alterations (if any) you desire to recommend in the present course (a) under the existing system of the open compelitive examination, and (b) under any modification of that system recommended by you?—In either case present schedule is fairly suitable.

28682 (37). In particular, please state youropinion as to the desirability during the period
of prolation of (i) compolery attendance at
Law Courts in England and reporting of cases;
(ii) the teaching of Indian Law in addition to
the general principles of jurisprudence; (iii) the
teaching of the grammer and text books of
Indian languages with or without any attempt
at colloquin instruction; (iv) the teaching of the
at colloquin instruction; (iv) the teaching of the
Accounts (~ of Pes, (ii) possibly, (iii) present
colloquind instruction; is fairly usaless; grammar
and text books softinest, (iv) limiting Geography
might be combined with History.

26663 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—At the ages suggested by me I think the one year of probation should: be spent in Negland

be spent in England.
26664 (54). What is your opinion of a proposal
to start at some suitable place in India a college
for the training of probationers of the Indian
Civil Service and possibly of other Indian
services recruited in England —I think this

impracticable and unnecessary.
28055 (55). What is your opinion of a proposal
that each provincial Government should arrange
for the training of probationers by suitable
courses of instruction for the whole or portions
of the first two years of service at some suitable
centre—I do not agree with any proposal to
train probationers in India.

28666 (39). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty T—No.

2989. Tey on satisfied with the present arrangements for the training of junior members of the Jadian Ciril Service after they have taken up their appointments in India? If not, what change schoold, in your opinion, be introduced?—Generally satisfied. The present system works fairly well, given proper individual attention.

26668 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Suitable.

change do you recommend?—Stitable.

28608 (28). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian languages possessed by members of the Indian Givill Service II file, what are the causes? Are you satisfied that European members of the Indian Givill Service atfain to an adequate proficency in the study of the Indian languages, and if not, how could this best be remedied?—No deterioration noticeable. It is mainly a question of ear prancially. There is no call for any drastic remedies.

28670 (63). Do you recommend any changes in the rules for the ancouragement of the study of Oriental languages, and if so, what changes !— I have always considered that in addition to the present High Proficiency examinations (mainly literary) in the ordinary vernaculars,

1st March 1913.7

Mr. P. J. MEAD.

[continued.

an interpreter's test should be instituted to test the colloquial knowledge of men who can talk readily and idiomatically on any subject with all classe For men with a good ear the examination would have [many attractions and the knowledge thus gained would be of practical value to all police officers and to revenue officials. This is after all a small question.

26071 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

presses searcy our proposas; — No.

26672 (70), Is any differentiation necessary
in regard to the probation and training of
members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

26678 (72), The present theory underlying the conditions of service in the Indian Civil Service is that-(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To seeme these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find bimself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered ?-I accept the system. Bight years suitable if candidates recruited between 21 and 23. Ten years might be allowed if earlier recruitment (18-20) is decided on.

26674 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical

permanency in the ordinary course of promotion charges of minor responsibility, called technically "interior posts," and should be drawing pay at "interior possy and should be using exceeding Rs. 1,000 per menum. Do you accept this as a suitable arrangement? Do you accept this

26675 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Fairly suitable, subject to remarks against questions (93) and (102). It is mainly a question of recruitment, and in view of the fact that standards of living have risen the left smar shararros of living more reac-considerably while pay has remained stationary for a long time, the pay offered cannot be considered over generous. It is impossible to save anything considerable, and at the same time keep up one's position suitably. Free furnished residences might be a suitable

26676 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both ?-Both.

26677 (93). What is your opinion regarding the substitution for the existing graded system of premotion of a time scale of salary? If you are in favour of a time scale, should it be restricted to the lower grades of the service or not? -Time scale desirable for lower grades to guard against the effects of over-recruitment in any years.

26678 (102). If you recommend any system of time scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to sup rior grades, charge allowances, and other matters of importance? How do you propose to apply such time scale in Provinces where the scale of pay of the julicial and executive branches of the service is different?-Rs. 703 after two ears' service, Rs. 930 after seven years' service. No acting allowances for officiating in the various grades of Assistant Collector.

26673 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I approve. Fide answer to question (7).

### Mr. P. J. Mr.AD. called and examinal.

26680. (Chairman.) You are Collector of the Indian Civil Service ?-Yes.

25681. There are certain statements which you have made in your answers to questions (7), (28), and (38) on which the members of the Commission desire to examine you in private, because we think that such a course will be conducive to the public interest. We will therefore ask you to appear again at the conclusion of our proceedings?-I will do so.

26682. You would have a system of combined nomination and examination for the Indian Civil Service and would recruit a fixed proportion of the vacancies in India?-Yes.

26683. How and by whom would you suggest that the selection of candidates for the competition in London should be made?-I cannot say that I have examined the question in detail and I admit that it is almost a counsel of perfection, but the kind of nomination that I had in mind was

very wide indexl; only those who for various reasons were absolutely undesirable should be excluded from appearing for the examination. I would take no steps that would narrow the field

to any great extent. 26681. You think that a nominating boly could be formed which would be of such a character that it would be certain that the field would never be narrowed?—It would be exceedingly distinut to do it and I a lmit I have not fully considered how it can be effected, but if it could be done I think it would be an advantage.

20085. But you realise the practical difficulties of the case?—I do.

26086. You suggest that the number of officers to be recruited in India should be hard on the average of the past five years?—Yes.

26087. In your answer to question (25) you saggest 20 per cent, as the limit to be gradually worked up to f-Yes.

1st March 1918.7

Mr. P. J. MEAD.

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26688. Would this percentage include the listed posts?-No. I have stated that my system would be supplementary to the present Provincial

28689. So that something considerably more 20099. So olm something constanting than 20 per cert, of the higher pests would go to Indians?—Yes, but I lay very little stress on that percentage. I do not consider I am qualified to form any opinion.

26690. Do you happen to know what pro-

ortion the number of Indians both in the Indian Civil Service and in the listed posts bears to the number of European Members of the Civil Service in the Bombay Presidency ?—No. In the Indian Civil Service my impression is that it is three or

four per cent.
26691. Do you know what it would come to after adding the listed posts?—No.

Your proposal would involve a very 26692. 2002. Your proposal would mwore a very considerable increase upon the present, pro-portions?—Yesy considerable, but it would not be at once. I propose it should be to kegin with more or less head on the average. You have to fix a certain number that will be allowed in if the examination is held in India. I do not prepose average, and if it is found to work well, gradually increase it. To what limit, however, is impossible for anybody I think to say at

26693. Would you have a separate examination for each Province or one for the whole of India ?- I have no objection to one for each

26694. Do you prefer that?-I would take no steps to have each Province specially reresented, but I would have no objection to having the examination held at separate centres with one examination heard. It is just a question of

esting the papers at various centres and that might be arranged.

26695. You do not propose to increase the number of Indians up to 20 per cent, in the immediate future ?-- It would certainly come gradually. I take it in the first year it would gradeally. I take it in the west year in whun, the about 8 or 4 per cent, whatever the present percentage is. After five years it should be considered whether Netwes of India twined on these lines had proved themeloes many efficient than, or equally efficient as, those recruited under the present system; and if it were through described set it now likely wighth is of thought desirable, as it very likely might be, to increase the number of vacancies, that could be

26696. Do you suggest that the Board of Selection should have before it Indians from all ports of India, or would there be Boards in each Province for the residents of that Province?--It would probably almost reduce itself to Boards for each district.

20097. So that your proposal is for separate

examinations in each Province?—Yes. 28698. You suggest that the age limits for European multiplates should be reduced to from 21 to 287—Yes. 26699. Would not that ago interfere with the

university career on which I are you set store?—
I imagine not. It was the age at the time I entered and it enabled one to take the Tripes.
25760. We have had, evidence to show that

26/10. We have had, evidence to show that that age would not suit those who desired to take an Honours Degree. Have you considered that?—I have considered it, but my recollection

is that it did not. I think it prohibits you from

taking a full four years' course, 26701. Your proposal is that candidates for the Indian examination should be between 17 and

18 years of age?-Yes, or 17 and 19. 26702. So that the standard of the Indian examination would be considerably below the standard for the open examination in England?-Yes. It would correspond more with the old examination for English candidates when the age

was 17 to 19. 26703. Do you think that this and the lower age would prejudice Indians entering the Indian Civil Service with their European colleagues?— I think not. The examination is followed by three years at a university side by side with Englishmen who ultimately go up for the open examination

with them. 28704.

You think that the three subsequent 

period for Europeans should remain at one year? Yes. At present in practice it is one year at home and one year in India, the year at home being spent in studying the rudiments of the vernacular, a little history, and so on, and the year in India being spent out in a district. You have had experience of the one

year period?—Yes.
20708. How many years' sorvice have you

got?—Eighteen. 26709. Locking back upon it now, do you consider that that one year was adequate?—It was not a year of very much work or very useful work; but it just enabled one to learn the A.B.C. of an Oriental language and obtain some slight glimmering of History. It was all very imperfect

in many ways.

28710. We have had a good deal of evidence from witnesses who have told us that they regarded that one year as practically useless. You suggest that in that year there should be added compulstry attendance at law courts and the reporting of cases; do you think that a young Civilian can be taught all that is desirable in so short a period as one year?—I only compare it with the previous tenied of two years. I have-failed to distinguish any considerable difference between the results of the two years' preparation and the results of the one year. I do not think that the Civilians who came out formerly after two years' preparation at home were any better prepared than those who only had one year. 26711. To what do you attribute that?-

I think that after the competitive examination the years of probation are taken very light-heartedly, and there is very little serious work done. There-fore, I feel inclined to say that the shorter the period the better under the existing system.

26712. Have you looked upon it from the other point of view, namely, that after a very severe examination the early months are taken light-heartedly, and that that is why the short period of a year is useless, and that the twoyears' period gives the Civilian time to get into harness again and to do some work ?-I do not think in practice they are worked hard in the course of those two years from all I have heard and from the results I have noticed.

26713. So that the shorter the period of probation the better from your point of view ?-Precisely.

26714. Your argument would point to no probation at all? - Almost.

26715. I will turn now to the second main branch of our enquiry relating to the pay and prospects of the service, about which we are very anxious in each Province we visit to get very clear and fall information. I notice that you deal with these subjects in your answers to questions (92), (93), (99) and (102), but in a somewhat (92), (93), (99) and (102), but in a sönewhat vague and pertundery manner. We should have been grateful if we could have get from you rather more help. You do however say that an improvement might be made in the conditions of your service by the grant of free residences. Are there any services in India today where such an allowater is made?—I am under the impression that some of the political residents are allowed free residences but I admit that I have not had time too look into the details of this opension as I was very whave and size. of this question as I was very busy, and also I did not think it necessary to complain about one's own pay. I have subsequently seen a set of proposals with regard to pay at various stages proposas with regain to pay a random and to which I have looked through carefully and to which I subscribe, and I should be very pleased, if allowed to do so, to hand in a printed copy<sup>20</sup> of these proposals which have been carefully prepared

and to which, as I say, I subscribe. 26716. We shall be pleased to have that copy and perhaps one of your colleagues in the service will be before us at a subsequent date and be in a position to answer questions upon it !-- I

think so.

26717. That is the sort of material which we want to have before us. It is very important not only that we should have it in a written form but in such a form that we can examine upon it. Do these proposals which you have now put in differ in any way from those which you have made in your answers to our questions?—They differ slightly.

26718. You would prefer to support the written scheme which you have now put in in place of the one you have outlined in your answers to our questions?—Yes.

26719. Then I will take the scheme instead of your answers, on the understanding that we shall have an opportunity of examining some Member of the Indian Civil Service who will be before us later on the matter.—I think you will be able to do that.

26720. (Lord Ronaldshay.) Is your conclusion that combined nomination and examination would be an improvement on the present system formed as the result of your observation of the recruits who come to India or a general abstract theory that a system which is calculated to sift out undestrables is necessarily a better system than one not so calculated ?—It is based on both.

20721. To a certain extent it is based on your personal observation of the recruits who come out

to India?-Yes.

26722. Do you think the number of undesimble recruits who come out under the present system is sufficiently great to adversaly affect the administration out here?—I think every undesirable adversely affects the admini-stration. It is difficult to find posts where they

will do no harm, and even if it is possible to find such posts, every time that that has to bel one administrative inconvenience is caused and it affects other transfers. It is a never cading

26728. In your opinion it really is very necessary that we should endeavour to find some system which would be a modification of the present system and which would be calculated to eliminate undesirable recruits from the service?-Yes, if it is meticable. I admit the difficulties and I admit I have not considered them.

26724. If it is not practicable obviously we

eannot do it, but in your opinion it is very necessary we should try?—Yes.

26725. With regard to your answer to question (14), as to the definition of the term "Natives of India," you say you are satisfied with the tion (17), as to the definition of the term of India," you say you are satisfied with the present definition: but would you object to seeing the definition so drawn that it included subjects of Native States?-I should have no objection

20726. Do you think it is desimble it should he so drawn as to include such men? - Yes.

26727. So that you would modify your answer to that extent? - Yes.

26728. With regard to what you sail to the Chairman as to the period of probation, I suppose. you are aware that under a two years' probation prior to 1891 the recruits had to go through a fairly stiff course of instruction; they had to take one of the classic Indian languages, and a vernacular language, and History and Gergraphy of India, and a very comprehensive course of Law and Political Economy; and I suppose yet are also aware that they had to pass an examination in those superels?—Yes,

26729. In view of those facts, would you still suggest that a period of two years probation of that character was not a period which was likely to benefit the recruit and render him more expublof carrying on the duties which would be assigned to him when he came out to this country?-I adhere to my opinion that in practice it had no such effect.
20730. It did not benefit him?—No, it is not

taken seriously.

26731. Do you mean to say that the final examination is really of no particular value, that it is so easy that no one need take any trouble to pass it?-No. Of course it does affect your final place on the list, and therefore to that extent it is of considerable importance; but I think that is very commonly not realised, and certainly nobody takes the trouble for that examination that is taken for the open examination. Not one tithe of the work is done.

20732. Did not these recruits run the risk of failing to get into the service altogether if they failed to pass the final examination ! I think it was always generally understood it was a briefer.

26783. It was always generally understood that they should pass?—The general impression I think was that an elementary knowledge of the vernacular was essential and a knowledge of a very little Law essential.

20734. Supposing we recommended there should be a two years' period of probation and that a course of instruction similar to that which that a course of instruction similar to that which was given prior to 1821 should be given cite more, and that the final examination on those subjects should be regarded as a serious marker, and that the candidate who did not pass with 1st March 1913.]

certain qualifications would run the risk of losing his place in the Indian Civil Service, would you still think it was of no particular value ?-I have no doubt it can be made a valuable course. It depends, I suppose, a good deal on the lecturers

and so on. 26735. In answer to question (63) you say you have always considered that in addition to the present High Proficiency Examinations, which are mainly literary in the ordinary vernaculars, an interpreter's test should be instituted to test the collequial knowledge of men who can talk readily and idiomatically on all subjects with all classes. Am I to understand from that that there is no test of that kind at the present time ?-No, none of the kind I mean. It is quite common for a man to acquire sufficient literary knowledge of a verna-cular to pass the High Profesiency Examination and yet to be unintelligible in talking to a Native, while it is quite common to meet men who have no literary knowledge, who could not get quarter marks in the High Proficiency Examination, but who have taken the trouble really to talk the

language fairly well, 26736. Surely it is a matter of very great importance that a man should be able to make himself intelligible to the people whom he has to govern. Do you attach much importance to that ?-I attach importance to it. I think I used

to attach more perhaps. 26737. You say that this is ofter all a small question ?-What I meant by that was that it is a question any Local Government can deal with at any time.

26738. But I understand from you that no one has dealt with it ?-I fancy not-

26739. Is it not rather important that it

should be dealt with?-It is not of enormous importance. 26740. (Sir Theodore Morison.) During the year of probation did you attend lectures?—Yes,

we attended lectures.

Was there any work done other-26741. wise?-A little work was done. 26742.

You recommend that the one year's probation should be spent at Oxford or Cambridge?—I do. 20743. You have already contemplated in your

answer to question (18) that a university man should be seenred by the competitive examination ?—Yes. 26744. As you said a University Tripos man

I understood you to mean Oxford or Cambridge ?-

26745. If a man has already spent three years at Oxford or Cambridge is there any advantage in his spending another year there? The value of a missing a citier university is supposed to dimi-nish rapidly after the third year?—I admit that, 26746. Some witnesses have told us to keep

out of the old universities altogether, especially during the probationary time, and one of the grounds is that at these old universities Indian subjects are of very slight importance and it is impossible to make them anything except sideshows ?-I think that is so.

26747. That allegation is true?—Yes. 26748. You never can displace Latin, Greek

and Mathematics?-That is so.

26749. Secondly, it is said that a probationer at these old universities is never likely to acquire any outhusiasm for India, that his attention is not directed to Indian things, and he is not made conscious that he is being prepared for a great calling

in India. Does the university do anything?-Certainly not.

26750. Does the man who looks after the Civil Service probationers do much in the way of ereating enthusiasm?-No.

28751. Thirdly, it is said that in recent years.

perhaps not in your time, there was a good deal of racial prejudice through which Indians were made to suffer ?- I have heard of that.

26752. Did you know any Indians in your time at the university?—Yes.

26753. Did you know them well?-No. We only had one, I think, in my year, Mr. A. Ghose. 26754. Do you mean only one at the whole university?—No, one at my college.

university ?—No, one at my contepe.

26755. But there were plenty of Indians at
the university, probably ?—There were.

20756. Did you know any of them as an
undergendrate or as a protationer ?—No, I know
none of them well. Naturally one keeps more or less with the men of one's own college unless one happens to meet other men elsewhere. 26757. Where were you ?-At King's.

26758. At King's there are plenty of Indians. now ?-Se I believe.

26759. But there were not in your time?-No, except Mr. Ghose, 26760. Have you heard that in recent years

there has been a considerable development of an unfortunate feeling ?-I have heard that, 26761. Is that a valid argument against the

old universities?-Of course, when I suggest that the Indian should go home for three years at an approved university, I hope that, working side by side for the Tripes, he would make friends to a much greater extent.

20762. Did not all the conditions exist in those days?-Not this condition, that a certain number of these who were working at the Tripes were going out to India to join the same Service as many of the English students were going to There was just that difference.

26763. There were a considerable number who were going to have a shot for the Indian Civil Service and they must have been reading for the

Tripos ?-I think so.

26764. The last charge made against them is that they come out here rather old and rather set, in fact rather donnish, and are not very amenable to discipline. Is there any truth in that?—I have said that I think on the whole the latest recruits are too old, but that certainly is only on the average. They vary very medi in the degree to which they are set. Generally speaking, I

think it wears off in a year or two.

26765. (Mr. Chaubel.) In answer to question
(3) you say that Natives of India should be selected by nomination and examination at an earlier date than Europeans and then sent to an approved university: is that to be by means of State aid?— I have suggested State aid, yes.

26766. Do you support the proposal made to us to have certain scholarships to enable man us to nave certain parameters to cannot many Indians to go over to study for the Indian Civil Service?—Yes, with the difference that in my case the Natives of India go home after they have been accepted through the competitive examination. Under my scheme the competitive examination is in India.

You first of all hold the competitive 26767. examination here in order to select them?-In order to select the Indian with the best general education to go to England at the State expense.

26768. This competitive examination in India is only for the purpose of selecting the material which is to be sent home ?-Yes.

26769. Do you think that the educational standards which are reached here do not afford sufficient basis for selection of the proper material? Although the different examinations in the universities may not be competitive examinations they are so in a way, and I thought you said you did not wish to have stiff contests in order reject the whole body of people, but simply a rough test to see that the undesirables are not sent to England?-If you mean selection from people who have done well or fairly well in the Tripos that would amount to a system of scleetion and you would not necessarily get the best men. 26770. What class of candidates do you

expect to appear for any examination which you hold in India, the object of which examination I gather is only to pick out a pupil to send home?—I imagine the best of the Indian Tripos

men will appear.

26771. You think it would not do to leave it to the different universities to pick out their best men ?—I think not. 26772. With regard to the listed posts, to

what service do these now belong?-The Provincial Civil Service.

20773. I quite admit that they are generally filled from the Provincial Civil Service, but is it correct to say that the listed posts belong to that service? They are not part and parcel of the Provincial Service, are they?—Not in that sense. 26774. Nor are they in the Indian Civil Service ?-No.

26775. They do not form part of the Indian Civil Service cadre?—No.

26776. But the nature of the duties perfermed by the men who hold the listed posts is the same as that of the Indian Civilian?-Yes.

26777. May I know your opinion on this question of the distinction between the Imperial and the Provincial Service? The Provincial Service? vice is in itself a service in which as a member of that service no man can rise above Rs. 809: am I right there !- I do not think that is correct.

It is open to him to rise to one of the listed poets. 26778. But he does not get it as a post which is attached to that service. He may get it or he may not get it?—That is so, but if otherwise

qualified the post is open to him.

26779. But at the same time you cannot consider the listed posts as belonging to the Provincial Service?—Not in one way.

26780. Do you think it is a matter which should be remedied, so that it should be open to any person in the Provincial Civil Service to say to imself that if he proves fit he may rise to any eminent post?-If he shows himself fit he can

eminent post.—It he shows master he he can rise to one of the listed posts. 26781. But it should be open to a person who is a member of the Provincial Civil Service, when he enters that service, to have in contemplation that if he proves a fit man he can rise to the highest post under Government. Is it not better so to constitute the Provincial Service any person who accepts that service may have that goal before him as a member of the service?

—I think it is reasonable to reserve the highest posts for these who have passed a more difficult examination

26782. May I know on what material your opinion is based that no deterioration has been

noticeable in the knowledge of the Indian candidates with regard to the Indian languages?-I can only judge of my eighteen years. I cannot say what knowledge civifians possessed of lan-

guages before I came out to the country.

20783. I gather from your replies to certain
questions put to you that in the majority of
instances that knowledge is not enough to enable a European civilian to converse freely with the Indians ?- That is so, not to converse freely on any subject, but I think he generally learns to ask the absolutely necessary questions about routine work. 26784. (Mr. Gokhale.) Have you in your

mind roughly any period in which this proportion of 20 per cent. of the Indian Civil Service which you would eventually give to Indians would be reached?-I cannot say I have. I think it is

beyond my competence entirely. 26785. You begin with the average for the last five years and you would revise that number after five years?—Les.

26786. But if you take today the average for the last five years, on what principle would base an increase at the next revision? Would you not then want to take the average for the five years preceding ?-No, because it would be precisely the same. I think you would consider what material you had obtained, and generally speaking, if my view is right, you would look to some increase

26787. If you are not prepared to make may increase today, on what grounds would you expect any increase being made after 5 years when the first revision falls due?—I am supposing that my plan of three years at an approved University, taking an ordinary Tripos course, would produce better candidates than the present system, which very often consists of so many years at some cramming Institute in lingland.

26788. Is there much difference between your scheme and the state of things which pre-vailed when the age limits were 17 to 19 and some men could have a three years' probation in Eugland ?-Very few had three years,

26789. What would be the difference between that and your scheme, if three years were then spent at a University and a degree was taken '-A very big difference. As I have already explained, I do not think the work done on probation would bring the men together at all or would have the beneficial results I have looked to in the ordinary Tripos course.

26790. You think there will be a considerable difference ?-I think so.

26791. If it were found that the men obtained under your scheme were pretty much the same as those who come out now, would you still advocate an increase or not?-I think there is bound to be an increase; there is bound to he an advance in the capacity of Indian candidates, even apart from my scheme. 26792. The advance has to be from about

d per cent, to 20 per c.m., and if the revision is to be every five years it may take a very long time before the 20 per cent, is reached?—

Quite so.

26793. Therefore it does not stem to me that this 20 per cent, is a matter of practical value to Indians today? —I think in one place I have called attention to the possible effect on recruitment of the best English candidates at home, and for that reason I think that a tentative advance will certainly have to be made 44

1st March 1913.7

quinquennially. The effect on the recruitment of the best of the Englishmen at home would have

to be watched 26794. What effect do you expect on the recruitment of Englishmon —If you open 30 or 40 per cent. of the posts to the Natives of India it is possible the Service would become

mpopular at home. 29795. If the pay and prospects and pension continue to be the same, in what way would the Service become unpopular? You mean that a smaller number would be recruited !- Yes.

26796. But they would go through the same ages as now. Why should the Service be stages as now. unpopular with the men who actually come in?-It depends entirely on the class of Natives of India who came out under the new rules, but it might diminish the amenities of station life.

26797. The social amenities?-Yes. I only

put it forward as a possibility.

If you have to select a smaller 26798. number of English candidates, that would not necessarily lead to a deterioration in the material. If you have to choose a smaller number you might have more picked men?-I do not always admit

that the top man is the best. 26799. If you want 60 men now and you take the first 60 on the list, and later if you only want 40 you will stop at a higher level in the list ?-I admit the examination level.

26800. That is the only test just now?-That

26801. Do you propose any increase in the listed posts today?—No, I think I proposed a 26802. How much decrease would you make?

What is the total number of listed posts today ?--I could not tell you. 26808. I believe it is 18 and of that the post

of Talukdari Settlement Officer is held by a mem-ber of the Indian Civil Service ?-- Yes.

26804. So that there are really only 17 ?--

26805. Roughly 17 or 18. By how many would you reduce this ?-I think roughly by two.

26808. So that you would have about 15 listed parts?—Yes.
26807. You know, I suppose, that under the rules of 1879, which established the Statutory system, one-sixth of the total recruitment was to be filled by appointments in India?—Yes. 28388. Your total I. C. S. cadre in Bombay,

including these posts, is something like 179. How much would one-sixth of that be? -About 30.

26800. So that if the Statutory rules had been fully carried out today there would have been thirty Indians holding places reserved for the Civil Service by the Statute of 1861?-Yes.

26810. And now we have only 17 men and you would reduce that number to 15?-I would. 26811. So that what was promised in 1879 has not only not been worked upto today but you would reduce it still further?-I understand it was only a suggestion in 1879, and was followed by a Public Service Commissi

26812. For the first eight years the recruitment of one-sixth was fully worked up to ?—But the whole question was reconsidered by the Public Service Commission.

26813. Your scheme comes to this, that you make no increase in the Indians that get in by the London door today; for the next five years,

you will give us the average of the last five years ?-Probably a slight increase might be granted.

28814. And you would reduce the listed posts

by two ?---Yes.

26815. That does not look like giving an advance to Indians, does it?-I do not say that that any immediate advance is perhaps necessary. 26816. (Mr. Sty.) Having given unfavour-

able opinion regarding the probation in England, do you think it would be desirable to abolish probation in England altogether and to substitute s combined period of traming and probation in India, such as training for certain months in a year in a district, and instruction under special officers for the remaining months of the year ?-Would the Bombay candidates be somewhere in Bombay?

26817. Yes ?- I think it might conceivably be an advantage.

Would it be preferable to the present 26818. system of one year's probation in England?— I think it would very likely lead to more earnest

26819. With regard to the auswers given by you to certain questions about the knowledge of the vernacular possessed by the Indian Civil Service candidates, is it not a fact that the departmental examinations require the passing of colloquial tests in languages? - They do.

26820. Is it your experience that the colle-quial test is not satisficantly strict to ensure a colloquial knowledge of the language ?—I do not think I have been quite understood there. I wish tanks I have seen quite uncessore tures. I want to have for a few people a special examination with a very high colloquial test. Iffty per cent, of the people could not pass it because it would demand of a man a natural aptitude for languages, My test would be much harder than the ordinary departmental test.

26821. You do not refer to the difficulties regarding the dialects in different districts and the difficulty that occurs through an officer not being able to speak freely with the people?—

26822. (Mr. Fisher.) You attach great importance to a University education in Bugland as a preparation for the Indian Civil Service. On preparation for the anomal caru between, on which particular grounds do you say that X-1 Ishink I said we should probably secure the best by attaineting University Tripes men.
26833. In other words you wish to fix an age for the competitive examination which would admit of people taking their degree Y-Yea.
26834. Why do you wish to attract that class of man Y-I fixink it is a favourable field, with competitive them with the class of man Y-I fixink it is a favourable field, with competitive and with the class of man Y-I fixink it is a favourable field,

whatever other fields may be open.

26825. It is not because they learn anything articular at Oxford or Cambridge which would be of value to them later on, but simply in order to keep the field of recruitment as wide as possible ?-Yes.

26826. Was there nothing that you learned in your Tripos at Cambridge which was of value to you later on ?-I would not say that.

26827. What particular part of your experience at Cambridge has been of value to you? Would you regard the social training as valuable?—Certainly,

26828. And the intellectual training as rather less valuable ?-No, I think not. 

[continued.

26830. As widening your range of outlook ?-Certainly, teaching you how to tackle a big

26831. When you came out to India first of all what happened to you in your first two years ?-I had one year of probation in a District and in the second year I had charge of so many Talukas and toured around, and practically learned administration by making mistakes.

26882. On looking back on those two years, do ou think that the system of instruction could be improved in any detail ?- Yes. The second year

we did some work.

20833. Let me confine the question to the first year. Do you think there is any room for improvement in the training of young civilians on their first arrival in India ?- Possibly.

26834. Have you thought out any directions in which improvement could be made?—No, I have not. I think it is rather doubtful, It depends very much on the personality of the Officer unier whom one is placed. I can quito conceive that the training would be quite adequate with a specially selected officer.

26835. Does it ever happen in the Presidency of Bombay that several young civilians are placed under one specially selected officer for their first year ?—Never more than two practically, 26836. Does that meet with your approval ?—

Yes

26887. (Mr. Madge.) You have answered "Yes" to the question whether a distinct promise was not held out that a certain proportion of Indians would be appointed to Civil Service rosts. Did you interpret that promise to mean that this proportion would be advanced whether the Government could or could not lay its hands upon officers whom it considered competent ?-The whole uestion was reconsidered at the time of the Public Service Commission, I understand.

26838. I asked the question because you made the straight answer "Yes" to the question as to whether the promise was made or not ?-I do not know that a promise was made. My recollection

saw was a promise was mone. My recollection is that a suggestion was made that one-sixth of the pasts should be known open.

26839. That is also my recollection, bet I understood you to say "Yes" to the question?—So far as I know I distinctly said my recollection was that a suggestion had been that one-sixth of the pasts should be thrown open.

26840. Have you any reason for thinking that suggestion has not been acted upon for the simple reason that the Government has not found a sufficient number of officers whom it considers competent te be raised to these posts ?- I imagine that the want of competent officers was the chief reason.

26841. Do you think there was any other

reason ?-No.

26842. (Mr. Abdur Rabin.) You know that for a long time there has been an English system of education in operation in this country ?- Yes.

26843. Would you say that it is not possible for Indians educated here to attain a very high standard according to Western ideals, a very high standard of knowledge, ability, character, and so on ?-I think it is possible, yes.

26844. What do you mean by the words "Natives with oriental standard" in your answer to question (28)? Do you mean teache whose education has been more or less defective, men who are not highly educated and have not derived the

fullest advantage from the system of education that prevails here?-No, not pecessarily that.

28845. Do you, then, mean people who hold Oriental ideas about the system of administra-tion?—Yes, who hold Oriental ideas not only about the system of administration but about standards in public and private life. 26846. What you mean by Oriental standard

is something lower than what you would consider British standard ?- Something different I should

26847. You perhaps mean men who had not a very high notion of the necessity of dealing impartially with those who are in their charge, men who are locking in a high sense of duty generally. Is that what you mean?-Yes, I think everyone knows there is a different standard.

16848. (Sir Mussay Hommick.) What year did you come out?-1834.

26849. Does the paper you put in deal with the grievances which certain civilians in Bombay have with regard to want of promotion to superior posts after eight years' service?—Yes, and kefore. 26850. Did I understand you to say that

you do not think two years' training would be likely to produce any better results than one?-On the system which has been in vogue so far.

On the system which has even in vegue to lar.
28851. But you have not personally any
knowledge of the two years' system of training,
have you?—No. I have only seen the results of it,
26852. Do not you think that a man who came
out with two years' training came out to this
country with a good deal more knowledge of
law and procedure and languages than the nea who come out with only one year's training?-Very little in my experience.

26853. You were not in the country when men came out with two years' training !- I did not see them when they first come out, but I know the men with one year's training caught a know the men with one years maining eatight them up very quickly. There was no difference after five years' service between the men who had two years' training and the men who had one year's training,

20854. You are not able to say that the man with two years' training is not better at the beginning of his career than the man who arrives with one year's training?—That is so.
26855. I think you said that training was

conducted under very slack principles :- 1 refer to the one year's training, but I have heard that the two years' training was also not a very rigorous course.

26856. Under the old two years' training if you did not entisfy the Examiners at the Intermediate examinations you were liable to a fine of £25, and that very soon seroned the man up and he took care to remedy his slackness at the next examination. With regard to the training of Assistants, I suppose the difficulty of gathering together many Assistants under one Collector is simply that the Collector has such a lot of work to do that he may not have time to attend to them ?- It is quite impossible.

26557. No doubt it would be very advisable in the case of good and able administrators to give them as many Assistants as possible, but this cannot be done as he generally has not time?—
There is an additional disability in this Presidency in that we have to provide new Assistants for four different language-speaking tracts.

Let March 1913.7

Mr. P. J. MEAD.

26858. Do you consider that the present cadre of the Bombay Service is sufficiently strong to supply an adequate number of officers for the discharge of their ordinary duties? Do you think that most of the officers holding superior

posts in the Bombay Presidency are overworked?— I think many of them are, I think many or mean are. 26859. The heaviest districts in Bombay are too heavy for the proper working of them by the Collector?—They have had to split up three

quite recently.

26860. Probably it would be a great improvement to the administration if some more were

split up ?-I could not be quite sure-26861. Do not you think the additional work which is thrown on the Collectors by the development of local self-government is giving the Collector a great deal more work than he used to have?—I think it does

26862. (Mr. Heaton,) It is said that civilians very seldom return from their furlough except

in debt?—That is not my experience-26863. How far do you think 26863. How far do you think their salaries in the earlier years of their service are sufficient for the ordinary wants of life, for keeping up their position, and for enabling them to save sufficient to take leave when it is due?-I think for the civilian who has not been fortunate in getting any of the special plums there is very ittle scope for saving money, and he finds it very difficult not to get into debt.

26864. Is that one of the reasons why you advocate a time-scale of pay?—Yes,

26865. As to the training of civilians when they first come out, is one of the best methods of training to send a young civilian out with a Senior Assistant Collector ?—I think so,

The following evidence of Mr. P. J. MEAD was taken in camera.

26873. (Mr. Gokkale.) You say in reply to question (7): "However able the latter," i.e., an Indian "may be he is not worth the price of an European, que administrator, because he has not, and can never have, the same deluched position and recognized impartiality". I suppose you mean by that an Indian who has preserved the old standards of living, who has never gone to England?-Acts of Pring, we has never gone to Ingresor -Yes, may I just explain one point which may clear the ground. I am not saying that the Buropean has a higher standard, as I think someone tried to make out, a higher standard of justice or anything man out, a nighter standard or justice or any soung of that sort. I am talking of the Indian who has lived with Indians all his life, who is a member of a certain caste, and who is still on terms of intimany with the Indians of his district. I maintain that his task, and I have been told by Indian administrators, is thirty-feld more difficult than that of an Englishman who has not, and can never have, any particular interest in any section of the community. Cases are constantly arising every day where an Indian has to decide some knotty points between different sections of the community, and his work is very, very difficult. I firmly believe that he is absolutely as impartial as I would be myself, but the public does not think so, and he has to spend more time on the subject and justify his opinion much more care-

28874. I suppose this remark applies to men who have been appointed to listed posts, because you are comparing members of the I. C. S. with

26866. He need not necessarily be Collector ?-No.

· Continued.

26867. That is a good method?—Yes, in my

view it is a good method.

thew it is a good measion.

26868. Do you find that there is any feeling that the want of legal training is a disadvantage amongst Executive officers? Your daily work 1 suppose involves constant reference to Laws, when dealing with local bodies, such as Local Boards and Municipalities whose powers are restricted by Acts, and you have a good deal to do that involves a good knowledge of the Rent Law of the country, the land tenures, and so on. Is there any inadequacy of training for general legal parposes?-I think such training would advantageous, but I am not aware test it is a very serious drawheek. The work is picked up, 26869. (Mr. Joglekar.) There are now six

grades of Deputy Collectors, and in the first there are 12 appointments altogether, and in the lower three grades there are about '71 appointments?-Yes.

26870. In order to have a rapid regular flow of promotion would you not increase the total appointments of the first three grades by a corresponding reduction in the lower three grades ?-I think that might be considered. I cannot say I have ever given the subject any consideration before. 26871. Seeing that the posts are as 12 to 71

would you not increase the proportion ?- I think promotion above the fourth grade is by selection

only and by seniority up to that, 26972. In order that men of ment should have an adequate flow of promotion, should not there be a corresponding rise in the number of appointments in the three grades, with a correspending reduction in the others ?- Yes, that sounds reasonable, prima facie.

Indians who have not been to Europe and who have not been educated in European ways?-Why not all the Deputy Collectors? They are members of the Provincial Service from whom

presentably Collectors are to be appointed.

26875. You are comparing in your answer the salaries given to Indian Civilians and others?— I am comparing the Deputy with the Assistant

26876. In your experience as District Magistrate have there been cases where you have had applications for transfer on the ground that a applications for transfer on the ground tent a particular Magistrate belonged to a particular casts of the community?—Yes. 28877. Frequently?—I have not been District

Magistrate long enough to may; in fact, in the whole course of my service I have not been District Magistrate long enough for it to happen

Collector.

frequently.

26878. But apart from that, so far as the
Deputy Collectors are conserned I do not think that that question need be raised just now, because that tent question need nor makes, just now, uccuse, we are specially considering the higher appointments. And I should like to ask whether you have heard anything shout men who have been appointed to listed posts in the Binnbay Prosidency. In the first place, on the Discolariestic, in the Binnbay Prosidency. In the first place, on the Discolariestic, the first place, and the provincial Service men have been appointed.

\*\*Little vests of the Theodolaries the Shreading the Company of the provincial Service men have been appointed. to listed posts yet?-Excluding the Statutory

Civilian that is true.

26879. The Statutory Service men are not members of the Provincial Civi Service?—No.

frontinued.

They are more or less of the class to which I refer.

But they are not Provincial Service men? Technically they are not. I have not yet had any experience of them, but surely one may draw a comparison from one's experience of District Deputies.

26881. With regard to District Judges who

have been appointed to listed posts, there are three such men foday, are there not?—Yes. 26882. Mr. Taleyarkhan, Mr. Dixit and Mr. Phadnis? Of these Mr. Phadnis is stricken

with paralysis?—Yes. Mr. Phadnis is ill. 26383. Is it not a fact that the other two stand very high as District Julges?-I could not

tell you. 26884. You make these statements in general terms, and they therefore apply to them as well as to anyone else?—True, but I can only give my opinion based on experience, which I admit is limited in some respects. I wish to point out that as soon as a statutory man goes we have to select from the District Deputies whom we have now, and there are many admirable District Deputies from whom to select, but whoever is appointed will find his work thirty times as difficult as that of a European.

26885. If he does it well it will be all the more to his credit?-If he does it well I do not think his orders will carry the same weight or that he will be regarded as being as impartial as

an inferior European.

26386. In answer to question (28) you say: "The above is, I consider, the limit permissible for this Presidency. Experience has shown that frequent transfers are necessitated by these comparatively inefficient administrative officers and great administrative inconvenience is caused." There again you are referring to men who are appointed to listed posts ?-I am.

But there are no Provincial Service men appointed to listed posts on the Excentive 26887.

side so far ?-That is true.

26388. Nobody is interested in defending the Statutory System now. It was abolished, because it was held to be unsatisfactory, so we need not go into its merits or demerits now. You have not the same thing to say against Provincial Services men?—No, because I have no experience of them.

26889. In your answer to question (38) you say: "The post of Talukdari Settlement Officer say: "The past of Takuddir Sattlement Officer is not satisf to an uncoreanted cirilian as absolute and acknowledged impartiality is pecu-larly essential, and the foliadders resent the appointment of "Nativer", however earphs, whose sortal position is possibly lower than theirs." How the position is possibly lower than theirs." How many Indians have held this post?-One.

26890. Were there not two?-One was

26890. West unter the bas 1-91 and acting, I think.
26891. No, two permanent. One was Mr. Pestonji Johangir ani the other was Mr. Binhimari—Yes, you are quite right.
26892. One of the two, the first grathenux, retired with high pariss from Givernament and with a C.I.E.?—Yes.

26893. And Mr. Bhimbhai's work was praised

2009. And her diministrative was perised in very high terms by Sir F. Liby, Commissioner of the Northern Division ?—That is so. 2009.4. My information is that they bith did extremely well?—I wanters the proposition that is invariably the case that a different standard invariable and a standard commission. is applied in appreciating the work of a Native,

and that has been my experience. I admit that Mr. Bhim'shai's work, as I saw it, was in many respects very good and very effective, and certainly very forceful, but his work as Tálukdóri

Settlement Officer was not very tretful.

26835. Did not be specially help the Talukdárs during famine times? — Yes, wa all helped

them, everybody.

26896. The money-lenders were him?-Yes.

23897. But the Taluklars were not? -No. 25838. Taere is nothing more specific that

you can tell us? -No. 26839. (Mr. Chaubal.) Do you think that an Buropean officer can efficiently look into the accounts of the Talukdar estates, or has he mainly to rely upon his subordinate staff? The accounts of the different estates, I take it, must be kept

in the vermicular? - Yes. 26300. How many estates are there? -A

very large number.

very large number: 26901. About five hundred?—About that. 26902. Have you over heard of Inlians complaining that a Talukhari Settlement Officer's

office, although he himself may be absolutely pure, is a machinery for persecutiva because of the larger opportunities which his staff got?-I think it is quite possible that such allegations should be made, but no such allegations have been made to me personally.
26903. What about the accounts?—The

accounts are perfectly easy to real; I have read them frequently. I admit it is a mass of work and, as in every other department, the office is allowed to do a good bit of it

26904. Am I right in supposing that the accounts are kept in the versacular?—Certainly,

in many cases they are. 26905. Is the letting of properties done by

26006. (Mr. Maclonald.) May I clearly understand what your position is with reference to the statement at the end of your answer to question (7)?

Is it that the undetached position and the reputed partiality of the Indian officer is not due to himself but is owing to the state of mind of the public?-That mainly, but I would ald that his position is more difficult.

26907. Owing to the state of mind of the public !-Owing to the state of min! of the

public.

26908. Not owing to anything that is internal?-No, I think not, but owing to the fact that according to oriental standards nepotiem is expected, and perhaps to a certain extent favouritism is expected

26933. Do you think that any amount of training of that officer, either in Englan I or anywhere else, is going to remove his difficulties?— That is not the point. My experience goes to show that the trained Indian comes out after a smort must control than a Court of after a university control solution by detached, a definished and impartial as an European. I grant that possibly he has not quite the came reputation for impartiality as the European. It is ensemble that if there was a case between a Brahman and Muhammalau, the Brahman Collector would be possibly suspected, but my experience is that he is absolutely detached and that after a certain number of years service people generally believe in his detachment. He does not live so closely with the people; his relations are nothing like so close as the Native's who has kept his or ental standards. 1st March 1913.7

Mr. P. J. MEAD.

concluded.

26910. So that the fact that an officer is trained at home makes it easier for the people to

trained at some makes it easer in the people to regard him as an impartial man?— I think so. 28911. (Mr. Abdur Rabin.) Are there not Indians who have held high offices and who have Indians who may held high onless and with later as high a reputation of having a detached and impartial mind as Europeans; for instance, Indians who have filled the offices of High Court Judges, although they have never been trained in England at all ?—I imagine they have a high reputation when they get to that position. I think that

must be so. My experience is that way. 26912. Do you really think that it is very difficult for the public to repose as much confidence in an Indian officer of the right sort as in an European officer ?- I think in print of fact they

will not do so. You spoke of nepetism and favouritism : is it not dangerous to lay too much stress upon feelings of that sort which might or might not prevail in the minds of some section of the public? For instance, European efficers have to deal with Europeans in many ways. If it be asserted that European officers in dealing with Europeans are influenced by feelings of bias, would you take notice of a statement of that sort?—I suppose one would make some allowance for the possibility of an European officer being

nor the possibility of all Entry earl curief points prejudiced in favour of another European, 26914. Would it be practical politics to act upon such a notions?—It would depend upon one's knowledge of the parties. I could not definitely say that every European was absolutely free from

favouritiem.

26915. If you hunt up matters of the nature you have been speaking of, where are we to stop ?-I do not think I am bunting up anything

in particular.

26916. I mean if you attach importance to matters of that sort it would be a very difficult problem for us to soire?—I think it must be

given its weight. 26917. There are a large number of people who imagine things. In Courts of Justice applications are often made for transfer of cases n grounds such as those you have mentioned. No Judge even takes notice of such applications unless there is very substantial reason for thinking that the apprehension is well founded?-That is one way of looking at it.

26918. (Sir Theodore Morison.) Is it your opinion that the standard of Indians who are coming into the public service is rising or falling or

stationary? - I should certainly say it is rising. 28919. (Mr. Gothele.) With regard to the two Statutory Civilians, can you give us any statistics to show that their transfers have been more frequent than those of European Collectors ?—I cannot give you the figures. As a matter of fact I tried to look them up, but the statistics are vitiated by the fact that one must know why the transfers occurred. I base it to a great extent on certain notes and minutes which I happened to see on this very point referring to the gentleman in question.

28920; (Lord Ronaldshay.) You say : " it must be remembered that the recruitment of Europeans will be seriously affected by too large an influx of Natives of India." What do you mean by that?—My impression was that if you threw open 30 or 40 per cent. of the Indian Civil Service to Natives of India probably less eligible candidates would appear for the examination

26921. Did you mean to suggest by that answer that Europeans had any objections to serving under Indian superior officers or anything of that sort !- I think some may, but there is no

necessity for such an attitude. 26922. (Mr. Chaptal.) When you wrote your answers you did not write them with any reference

to the Judicial Department at all, the Subordinate Judicial Service?—No. I know nothing about the Judicial

26923. It is purely referring to the Executive side?-Quite.

(The witness withdrew.)

The Rev. CANON CECIL STANSFELD EIVINGTON.

Service. 26924 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for

Written answers relating to the Indian Civil

the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system as generally satisfactory. should be sorry to see the number of posts at present held by Européans lessened. My reasons are :- (o) I think it will be found that the trading and cultivating classes prefer that an European officer should be at the head of affairs as assuring to them fair treatment in the various caste conflicts that arise, and in other matters in which they icar, rightly or a wrongly, partiality or a laxity. The idea of handing over the supervi-sion of Co-operative Credit Societies to local sion of cooperate creats socreta to read officers which, in this district, would mean to Indians, is not at all acceptable. (b) I have been in India since the end of 1877 and living in this district since 1894 and for a considerable period have been a nominated member of the Municipality here, and have been brought into

contact with the officers in charge of the Taluka who have almost invariably been Indians,
Deputy Collectors, either promoted from lower
grades or of the Provincial Service. However good their work, I do not think we could have done well without an European Collector at the head of affairs, both as a support to the authority of the Deputy Collector, and also, on occasion, to stimulate or correct its exercise. My experience is that the initiation of sanitary measures, and of plague preventive measures such as inoculation, etc., comes from the European Collector rather than the Deputy Collector. (c) I think that the real advancement of India will be best secured by the continuance of the present system by which, under sympathetic officers, India is gradually being trained in the work of self-government. It has often been a matter of surprise to me to find how well the Commissioners and Collectors are acquainted with the sometis and concerns are appearance. When any conditions of their districts, and those I have met have not been wanting in sympathy for the people. Some Indian gentlemen, who desire a simultaneous examination, tell me they do so, not because they find fault with the present

Rev. CANON RIVINGTON.

confined?

administration in this district, but because they desire that more of the higher posts should be

open to qualified Indians. 26925 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?— I do not favour such a scheme, as I think that Indians, to be fitted to fill posts in the Civil Service, should have some training in England so that they may have a wider outlook on things in general. Those Indians whom I have met, who have had some training in England, contrast very favourably with those who have not had the same advantage. The plea of poverty which is sometimes alleged as a ber to Indians going to England might be met by each community having an Education fund such as the Lingaits have for the purposes of advancing promising

26926 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Viet. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for respective of whether such persons are of unmixed Indian descent, or of mixed European and Indian

descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I should replace the term 'Native' by 'Indian' when speaking the term 'Native' by 'Indian' when splaking of persons of unmixed Indian descent, as the former term is often used in a contemptuous sense and may give offence.

20927 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be intro-duced?—Yes, only the senior officers, under whom the juniors are placed, must realise their responsibility for training them, and this I believe is generally the case.

26028 (35). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Givil Service? If so, what are the can- ?? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied? The frequent transfer of officers to districts requiring knowledge of a fresh language before they have really learnt their first one necessarily hinders them from attaining an adequate proficiency. I think it would be fair to say that as far as their work is concerned they ac price a good technical knowledge of the language, but anything beyond that is rather the exception than the rule.

Rev. Canon RIVINGTON, called and examined.

26929. (Chairman.) Have you been many years in India?—About thirty-five.
26930. Have you resided for the whole of that

long period in the Presidency of Bombay?-Yes,

the whole of the time.

men of their caste.

26931. In the city of Bombay ?-No; I was about 15 years in Poona, two or three years in Ahmednagar and the rest of the time in the

Dhárwar District, where I am now. 26932. So that you have had a wide experience

of this Presidency and its people?-Yes. 26933. You would be sorry to see the number of posts at present held by Europeans lessened, and consider that the real advancement of India will be

consider that the real administrator of the present best secured by the continuance of the present system by which, under sympathetic officers, India is gradually being trained in the work of self-government. Would you be proported for ea-gradual increase in the proportion of Indians employed in the administrative services of the proportion. country?-When fit men are found. I think our great danger is to go too fast. My idea would be to promote a fit man when he is found, but not to ask other persons to come forward and throw open the service to them. It is quite one thing to promote an exceptionally fit man and quite another to say that a large number of persons can apply

26934. From your long experience of thirty-five years would you say that there were many Indians who were qualified to compy positions in the Public Service of the country?—I have not met one whom I would put in the position of

Collector at present.

26985. You are opposed to any scheme of separate examination in India?—Yes.

26936. The ground you give is that Indians admitted to the Civil Service must have the some

samination be found in the European cal-leagues?—I think so.

26937. Would your objection to a separate examination be removed if proper facilities for efficient training in England were given to Indians after the examination?—It would to a great extent, because I think the training of character much more than the passing of examinations is the point that is to be looked at. Since I wrote that answer I have been told it has been suggested that anyone who passed in an examination in India should be asked to go to England for a certain time. That was not before me at the time I wrote my answer.

Would you say that the present 26038. system unduly prevented Indians from entering the Service? -I think not.

26939. Do you think that the present system of examination in England offers sufficient facilities to Indians?-Yes, because I think the men who are fit for it are men who are able to go to England. The number of really fit persons will be so small that their education in England evald be provided for.

26940. Do you consider it politically desirable to give increased facilities to Indians to enter the Service ?-I think not, because I think that a Tests only one class of parsons, the more highly claimted class; it does not affect the majority of the people. I think it is the educated class alone who is crying

26941. And you do not think that this demand is of sufficient political importance to m. sit

Rev. CANON RIVINGTON. 1st Narch 1913.1

it?—I am not speaking of his intellectual caracity consideration?-I do not think it is sufficiently representative of the country as a whole. but his general fitness. 26942. In your answer to question (7)

something similar should be established to enable

speak of a Linguits Fund, and you suggest that those Indians who could not otherwise afford it to go up for the English examination?—I did not suggest it should be granted, but that it should be raised by themselves,

20943. But you mean a fund raised for that purpose?—Yes. I understand now that there has been a fund raised; I am not sure whether it was raised by the Brahman community, but it is almost

won tasqa 26944. Is it a fund raised by Brahmans to provide greater educational facilities in this country, or is it a fund to enable Indians to meet the expenses attached to their going to England? -I have no personal knowledge of it but I understood from what was said to me that it was established with the object of aiding the education

of Indians in England.

26945. You would suggest the encouragement of such funds?—Yes, I think those who require these posts should make some self-sacrifice for

the education of their people.

98946. Would you a proposal support which has been made to us to establish a certain number of Government scholarships to enable Indian candidates to go to England?—To a certain extent, but I should hope that the Indian community would themselves feel that it was better to stand on their own legs. Personally I do not like this system of too many scholarships; I think that the Indian community must themselves do much more than they have done. 26947. I suppose that such scholarships would

have to be paid for by the people of the country ?-

That makes it rather worse.

26948. Do you know personally many Indians who have been to England for their education and have come back to this country ?- No, but I know two who are in Government service now whom I have met lately.

26949. During your long experience have you not met several Indians who have been to England

for training and have come back to this country?—Yes.

26950. What influence, do you think, has their English training had on them?—In every way it has made them much wider-minded men

26951. I suppose some of them have been through the Universities?—I was thinking rather of men who have been to the Temple and become Barristers, and so on. I have also met men who have been to the University.

26952. Have you heard it suggested that of recent years there has been a tendency in some of the Universities in England not to receive Indians with as much cordiality as formerly ?—I have heard of it, but I have no personal knowledge.

26953. Have you gathered that Indians who have been to England look back upon their time

there with satisfaction?—Certainly.

26954. In your answer to question (36) you speak of the frequent transfer of officers. Do you feel that difficulties ensue on account of such

transfers [-Yes, I do. 28955. (6ir Murray Hammick.) I understand from your written answers that you would not accept examination in this country as any real test of the governing capacity of the man who passed

Continued.

26956. His general fitness to do the work that falls to him ?- I mean strength of character

and so on. I suppose you would accept it that in 26957.

the Provincial Civil Service the Government have means of finding cortain men who have those powers because they are able to discover them by experience in the course of their duties ?- Yes.

26958. Your idea would be rather that the Government, if they introduced Indians into the service at all; should take them from the Provincial Civil Service where they have been tried rather than by an examination of untried youths held in

this country?—That is exactly my view. 20959. Working as a Missionary here, have you come across occasions when men have gone to England in middle life, say from 30 to 40 ?-

No, I think not.

26960. I wanted to know whether you thought that if a Provincial Service man was taken after 8 or 10 years' service, such a man would really benefit by being sent to England for two years to study English matters?—Possibly he would, ceause all travel opens people's eyes. 20961. Have you had much to do with the

Universities as regards education ?-No.

20962. You would not like to speak upon what you consider would be the effect of education in this country in establishing a large examination such as the simultaneous examination would be?-

No, that is cut of my province.

26968. From your work in the districts you have had ample opportunities of finding out amongst the people with whom you have worked whether they are satisfied as a rule with the European headship of the District, and from the experience you have gained are you inclined to say that people are satisfied with that European supervision on the ground that it is impartial and free from local prejudices, caste, and so on, which

affect indigenous agencies in this country?-Yes. entirely. 2696r. (Mr. Abdur Rekim.) Have you had any experience of Indian officers as heads of a District?-In the district in which I have been

for some twenty years there has always been a District Deputy Collector who is an Indian.

26965. I mean as Collector?—No. 26966. Or District Judge?—Yes, there was a District Judge once, a Parsee gentleman. 26967. So that when you say you have not come across an Indian fit to hold charge of a District I

suppose you are referring to your experience of Deputy Collectors?—Yes, because they represent the highest point to which an Indian at present attains, with the exception I think of two posts in which there are Indian Collectors.

26968. You were not thinking of Indian members of the Indian Civil Service who had passed the examination in Brigland and undergond education and training there?—No, because that was not the question that I was asked. Those men are chosen under the present system and I do not

want to alter that system.

want to atter one system.

28903. If you could get Indians similarly
educated and trained you would have no objection
to their larger employment in higher positions in
the administration, would you "—It under the word
"education" you include not merely education but character.

Scontinued.

26970. But does not all education necessarily mply training of character?—It ought to, but very often the definition of education is a very confined one.

26971. I am taking the system of education that prevails in England, and that is a system I suppose which you will admit does train char-

acter? - Yes.

26972. To a lesser degree the English education system out here also does train character, does it not?—I think too great value is put upon a degree. Very often a man is put forward for an appointment simply because he happens to be a B.A., but he may be quite unfit for the appointment. That is my experience, especially

with Municipal schools and so on. 26978. Education, generally speaking, dues produce an effect on the student's character, although

in some cases perhaps not to a very appreciable extent?—One hopes it does, certainly.

26974. Is not that your opinion?—As I sail just now, I have not had to do with educational

work in the Universities. 26975. So that you cannot speak with any

authority on that point? -No.

26976. In answer to question (1) you say that the handing over of Co-operative Credit Societies to Indians would not be at all acceptable. Have you had experience of Indian officers in charge of Co-operative Societies in this Presidency?—No, becanee that proposal has not been carried out.

26977. But in some Presidencies C1-operative Societies have worked with considerable success under parely Indian guidance. Does that lead you under parely hadaa gunaues. Does had that you to modify your opinion?—Many Indians, and especially honorary organizers of the Co-operative Credit movement, do a very great deal of good work, but I am interested in one of these societies, and what we have felt is that it would be disastrous to the movement to replace the European Registrar by an Indian.

26978. But supposing experience in other Presidencies has pointed the other way, would you still stick to that opinion so far as this Presidency is concerned?—We had for three months or so an Indian, and I cannot say that the work was as vigorous as it was when there was a

European Registrar there.

26379. Does it not strike you that the man who is just filling a gap for three months cannot do very much? - The question is a very deep one, because the success of these Credit Societies depends upon the amount of confidence you can inspire in the prople of the place in the working of the Society. I have been connected with one of these societies for five years, and my experience is that if the European element is withdrawn from it there will not be the same confidence and the thing will not work. 26980. That is your opinion !- That is my

experience. 26381. You also say in one place that the trading and cultivating classes prefer an European officer: do you extend that preference also to the educated classes ?-I will ask you kindly to let me know whom you include under "educated classes,

because many traders are educated. 26982. Other than traders?—As I said before, I think this movement is chiefly amongst University

and higher educated men.

You said you would not yield to their 26988. You said you would not yield to their demand because the educated classes form a minority?—I think I said that they did not

represent the country sufficiently; I do not think I used the word "minority"

26981. Whose opinion in this connection would you attach any importance to ?- Taose persons whose money interests are concerned, the cultivators and traders, who want to be allowed to live quietly

and earry on their work.

26985. What is the best way of accordaining the opinion of the cultivators on the question of simultaneous examination: ?-I do not think a cultivator would un lerstand anything at all about a simultaneous examination, but I think if you talked to him about the Collector, if he is a Collector who knows his district you will fin I that a cultivator has a very great interest in the position of the Collector.

26936. (Mr. Fisher.) I understand you have not been brought into very close contact with the

students of the Universities ?—No.
26037. Your exprisece has been minly in
the country districts?—For the last twenty years,

26988. Among the poorer members of society ?-Amongst traders and cultivators, and of course one meets the Vakils and the officed classes in the

districts at large.

26983. Have you observed in your long ex-periouse whether the grievances of the cluented classes have been communicated in any way to the uneducated?—Not in my district; possibly there is a special reason for that, as the district emtains a large number of Linguist, who are naturally opposed to anything the Brahman community may do, and therefore the tendency has been to withdraw from any movement in which the Bráhmans take the first place.

26900. But I suppose you would a last that in estimating the political difficulty or danger one has not only to take into account the number of the educated class, but its power of impressing an

idea upon the une lucated class?—Yes.
26991. What we wish to gather from you is whether you have been conscious of any indicate of the educated class upon the unedicated class in the districts with which you are a privated?-Some of the elucated classes have been trying to influence the people on the question of raising the depressed classes lately, but it has not come to any practical movement at all.

20932. Still, I suppose you would almit that it is very important to coatent the classed classes in the country, if you can do so consistently with the preservation of the British principles which you wish to see preserved?-Oarlinly; I should always like to content every mand I orn! I do it without the sacrifics of principle or without making it one-sided.

20098. (Mr. Michaelt.) Di I unleretant aright from your answers that you have really fird very little contact with the class'ed classes?-Just now the only contact with the chiestel

classes I have is with the clusated Vakils and the

Government officers, In linus. 252M. But that is a very small proportion of

people you come in contact with?-Ye-. 26095. At the end of your answer to quertion (1) you say "Some Indian gentlemen, who desire a

simultaneous examination, told me they do so not because they find fault with the present adminis-tration in this district but because they desire that more of the higher posts should be open to qualified Indians." That is a very proper asymptotic to have, is it not? —That is a question of opinion 1st March 1913.]

Rev. CANON RIVINGTON.

Continued.

I should not quarrel with those gentlemen for having that opinion at all.

28996. Have you any doubts in your own mind as to whether it is legitimate or not that any mind as to whether it is legitimate or not that any section, whether educated or mediucated, of a community should desire that more of the higher posts should be open to qualified Indians?—It is a particulty legitimate aspiration.

26997. And if it is held by any section of the

community is it not an aspiration that cught to be

met ?-Not necessarily.

26998. You have people with the necessary qualifications but you do not think it is necessary for the Government to meet the desire that those qualifications should have their influence upon the Government?-Excuse me, I have not said they are qualified persons.

26999. May I read again what you have said, that certain Indian gentlemen say they have a desire that more of the higher posts should be opened to qualified Indians. Where you have qualified persons is it or is it not a necessary thing for the Government to give them a chance of taking their legitimate part in the administration of the country ?- If you have the qualified men yes, but I have not said they are qualified; that was the remark of the gentlemen who told me.

27000. And if he makes that remark and believes that they are qualified is it not necessary that the Government should give a chance to them ?— I do not think the Government is at all bound to take his estimate of what the qualifica-

tion is.

27001. Your point is that the people who ask for further opportunities for qualified Indians have not the same standard of qualification in their minds that you have in yours ?- Yes

27002. Are you in favour of taking youths of 14 years of age and sending them to England with a scholarship, so that they may have an opportunity of passing for the Indian Civil Service or any other examination ?-As I have said before, I have had nothing to do with that kind of education, but I should imagine it was far too early an

27003. Have you ever had any experience of . men who went to England to attend Public Schools at that very early age and then came back afterwards?-No.

27004. You cannot tell us what the effect of English education upon very young Indians is?-

27005. (Mr. Sty.) What is the population

of Gadag 7-32,000.
27006. Has it a High School?—It has an Anglo-Vernacular School, teaching up to the fifth standard.

27007. How many Courts are there?—One Sub-Judge's Court with two Judges. 27008. What is the number of the Local Bar

employed at these Courts?-There are nineteen

27009. (Mr. Gokhāle.) You said that you had not met a single Indian fit for the post of Collector so far, and I believe you added afterwards, in reply to another question, that you excluded from this description the Indian Members. of the Civil Service ?- Yes.

27010. Do you know that there are Chief Ministers in all the Native States who are Indiane? -I saw the comparison made in a newspaper the week before last.

27011. But do you know that the Ministers in all the Native States are Indians?-Yes.

27012. Do not you think that the charge is at least as responsible as that of a Collector of a district ?-Yes.

27013. And in some cases far more responsible ?-Probably so.

27014. In the larger States the charge must be certainly much more responsible?-Yes, more

or less it is.

27015. If these men have been discharging their duties satisfactorily, would you still say it is difficult to find Indians fit for the post of Collectors in British India?—I do not think it is a fair comparison to make between very picked men and the class of men to whom I understand you wish to throw open this examination.

27016. You said that you had not come across a single Indian fit for the post of Collector: but surely there must be some picked men in British India as there are in Native States?—No doubt, but I have been asked simply to say what my experience is. I did not say there were no fit men in India.

27017. It is then the fault of your ex-perience?—Very much so. I am simply here to

merrer your questions from my experience.

27018. As regards the Registrarship of Cooperative Societies, do you know that in
Madras for several years past the Registrar hasbeen an Indian?—I think the Registrar of Myscre, an Indian gentleman, came to see me OTHER.

27019. I am talking of the Madras Pre-sidency?—I do not know about Madras.

27020. He has been there for a number of years and has been doing extremely good work?-Nodoubt.

27021. Do you know that in Bengal today the Registrar is an Indian?-No.

27022. Do you know that in Eastern Bengal

for a number of years the Registrar was an Indian?—I am very glad to hear it.

27023. In spite of all this, would you still say that the appointment of an Indian as Registrar of Co-operative Societies in this Presidency would practically injure the movement ?-I cannot depart from a fact, and the fact is that when this proposal was made the Indian members of the society were all against it. I have simply recorded that as a

27024. Did they object to an Indian as an Indian or did they object to any particular officer?

-An Indian se an Indian 27025. Is there anything on record to show

27026. Did they petition the Government or do anything like that?—No.

27027. (Lord Ronaldshay.) Am I correct in supposing that your experience is that the demand which is put forward by the educated classes in India for a considerably larger share in the administration of the country is generally repudiated by the masses?—I think the word "repudiated" would be rather too strong because that would imply that they had considered thethat would imply that they had considered the matter very carefully, whereas my impression is that they say "Let us be as we are, we are doing very well, and why disturb things."

27028. If I substitute for the word "re-pudiated" "not supported" that would about express your views?—Yes.

1st March 1913.

Rev. CANON RIVINGTON.

Concluted.

27029, (Mr. Healon.) Has your experience been derived from a knowledge of the lower classes or of the educated classes of Indians chiefly?—When I was in Poona I was brought into contact with the educated classes to a great extent, and in the district I was in contact with the educated classes that are there as well as with the traders and cultivators.

27030. You do see a good deal of the traders and cultivators?—Yes; I live in a Native town and there are no other Europeans there.

27031. You come to know something of their

feeling in the matter? - I discuss these matters with them and ask them.

caem and ask them. 27032. (Mr. Joglekar.) Did you read in the Government Gazette that part in which the Acting Registrar's work was mentioned?—Probably

27033. Did it give a good account of his work or a had account?—I cannot remember now.

(The witness withdrew.)

(Adjourned to Monday, March 3rd, at 10-30.)

## At Bombay.

Monday, 3rd Harch 1918.

## TWENTY-FIFTH DAY.

#### PRESENT:

THE RIGHT HON. THE LORD ISLINGTON. R.C.M.G., D.S.O. (Chairman).

THE EARL OF RONALDSHAY, M.P. Sir Muneay Hammick, E.C.S.L., C.L.E. Sir Theodorr Morison, e.c.i.e. Sir Valentine Chibol.

And the following Assistant Commissioners:

JOSEPH JOHN HEATON, Esq., LCS., Judge of the High Court of Judicature, Bombay.

MAHADEV BHASKAR CHAUBAL, Esq., C.S.I. GOPAL KRISHNA GORRALE, Esq., C.I.B. WALTER CULLEY MADGE, Esq., C.I.E. FRANK GEORGE SLY, Esq., C.S.I. JAMES RAMSAY MAODONALD, Esq., M.P.

Ráo Bahádur RANCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona. RAGHUNATE GANGADHAR BEADBEADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., c.v.o., c.t.e. (Joint Secretary).

His Highness Aga Sultan Muhahmad Shah, Aga Khan, G.C.S.I., G.C.LE.

Written answers relating to the Indian Civil Service.

27034 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system of recruitment by open competition for the Indian Civil Service as generally satisfactory subject to reservations contained in answers to subsequent questions. I think that the principle of open competition should always be maintained.

27035 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I think there should be a change in the syllabus and the marks should be fixed in such a manner as to give no cause of complaint to Indians that they are labouring under a disadvantage. I would give the number of marks for Sanskrit and Arabic on the same level as that for Greek and Latin. I would also encourage a study of Persian literature in the same manner by giving Persian the same marks as French and German. The radiments of Indian Administration and Indian History, particularly of recent years, should be given a promi-

collary of recons years, suprace or given a promi-ment place in the syllabus of studies. 27036 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born enbjects of His Mejesty? If not, what alteration do you recommend?-The system is most unfair to Indian students as for obvious reasons it prevents many deserving and capable students from competing and thus debars them from their proper share in the administration of the country.

27087 (5). If you do not consider the present system of recruitment by an open competitive

examination to be satisfactory in principle, please state what alternative you would propose ?-I would adopt the system of recruitment to the exigencies of modern times so as to give a wider scope for satisfying the legitimate aspirations of Indians and the fallest development of their talents.

27038 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty ?-I am in favour of a simultaneous majessy :-- am in tayon of a similaneous examination in England and India. I would give full effect to the House of Commons' Resolution of June 1893 "that all competitive examinations heretofore held in England alone for the appointments to the Civil Services of India shall henceforth be held simultaneously in India and England, such examinations in both countries being identical in nature, all who compete being finally classified in one list according to merit." I would strongly advocate the holding of examinations in India not only for the Indian Civil Services but for other competitive services as well, such as the Medical, the Forest and the Police. It is unfair that the Forest and the Folias. It is much that the examinations for Indian Civil Services should be held only in England. When the principle of competitive examination for Civil appointments in India was introduced sixty years ago, there were no educational institutions in India and therefore it was natural to leave the holding of simultaneous examination in Iudia out of consideration. But the contact of the East consideration. with the West has profoundly changed the aspect of Indian education, and during the last half century there has been remarkable educational progress in India. By creating a Special Department of Education, the Government of India have shown their earnest desire to give

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a vigorous and systematic impetus to education. The establishment of various useful Faculties in recent years, will open up careers to Indian students outside the Government Service and the legal profession, and I, for one, have no hesitation in saying that the Indian Civil Service will in no way be swamped by Indians. Nor will its morale deteriorate in any way. The brightest sons of India-Telang, Ranade, Gokhale and others—were the product of English education in India. As I have said, the simultaneous examination in England and India should be identical in regard to the standard of test, the examination papers, marks, etc. If the Indian Civil Service examination is held in India, it will open the doors to promising and talented students, who, owing to their limited means and the disabilities entailed upon them in consequence of their stay in a foreign land for their studies, and the risks involved in failure, are unable to proceed to England to compete for the Service. It will do away with any feeling of discontent that may exist at the idea that the Indian Civil Service has been kept as a preserve for Englishmen and that the children of the soil are shut out from their proper and legitimate share in controlling the administration of the country.

As I have stated above, there is no fear of the Service being overrun by Indians. At present in the Bombay Presidency, out of 149 posts held by the I. C.S. Sheen are only sine held by Indians, including two Statutory Civilians. This works out as something like 6 per cent. of the Orivip posts in the Presidency being held by Indians. Again, in the whole of India, of 1,234 I.C.S. only 55 are Indians and the remaining 1,289 are Buropeans. This is a very mergre proportion, and if the simultaneous examination is held in India, I do not think that more than 15 or 20 per cent. It the most of Indians would be recruited by means of the system of compesitive examination. I can convice dhat the so-called danger of the Service being swamped by Indians is imaginary. The fact that the Service will be overcrowded by Indians is based on the fallucious idea that Indians have been offered with the overcrowded by Indians have the wooderful gift of passing

down, \*
27040 (9). If you are in favour of a system for
the part recruitment of the Indian Uril's Service
by Natires of India, in India, do you consider
that "Natires of India" should still be eligible
for appointment in England "T-sis: I think so.
I do not think that a very large number of
candidates will pass in India through the
simultaneous examination and I do not think
it expedient or reasonable not to regard them
as eligible for appointment in England if they
pass the competitive examination

pass the competence extended on regard any system of 27041 [19]. Would you regard any system of selection in India which you may recommend for young mon who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I think the present system of listed posts should continue: otherwise three would be no incentive to the Provincial Service men for greater efforts if they know that they have nothing higher to look forward to. They would not remain content, if they were depressed by the sense of knowledge that they cannot hope to rise any higher.

that they cannot hope to rise my higher.

27042 (12). Are you satisfied with the precent statatory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (38) Victs, c. 3), as including "may person born and domiciled within the Dominions of His Mighest in India, and not established there for temporary purposes only "rerespective of whether such porsons are of unnived Indian descent, or of mixed Boropean and Indian descent, or of unnived Boropean descent? If not, state fully any proposals that you wish to make in regard to his matter?—I think the subjects of Nativo States and the arrivocratic cleaves in Nativo States should be included in the definition so that they might have an opportunity of serving in the British Administration.

27933 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I think the present age limit should be retained.

or retained.

2.7014 (12). What in your opinion is the most suitable age at which jumor civilians recruited in England should commence their official duties in India?—I think 25 is the most suitable age at which junior civilians recruited in England should commence their official duties in India.

27045 (15). What ago limits for the open-competitive examination in England would best-suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age lamits for Natives of India and for other natural-born subjects of His Majesty. To think the same age as at present. I do not recommend any differentiation between the age limits for Natives of India and par other subjects of Itis Majesty.

27046 (16). What alterations, if any, do you recommend in the authorised stillabas of subjects and marks prescribed for the open competitive examination?—I would place the classical languages of India on the same footing as the classical languages of Borope in regard to the albatement of the number of marks. I would extribly include Porsian and treat it on an equal level with French and Genzon. I would also include a knowledge of rediments of Indian Administration and Indian History, purificularly history of recent years.

2707 (17). Is any differentiation in the subjects for the open competitive combination in England desirable between conditions who are Natives of India and other can historic II (18), attached and after rank as II (18), attached and after rank as II (18) and differentiation in the subjects for the open competitive examination in Indiand is desirable, between Indians and other cansidates. I would inside a desirable the same test for but; (1.2) and absolutely the same test for but; (1.2) and

56

Continued.

option must of course be allowed in such subjects

ophon measures as modern languages.

27048 (19). Do you consider that a minimum proportion of Baropsan subjects of His Majesty should be employed in the lighter posts of the forward of the posts included in the ledian Gril Service carbe 60 you consider that Natives of India might under present conditions properly be admitted f—I would not fix any proportion. I do not think that the Indian element in the Service would ever be alternatingly great. I would cortainly be sorry to see the British character of the administration disspear; but to satisfy the legitimate aspirations of Indians for a larger share in the administration disspear; but to satisfy the legitimate aspirations of Indians for a larger share in the administration I would throw open to them, when they are found fit and eligible, such appointments as are generally held by Buglishames. They should be promoted to the Commissionership, to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found in the commissionership to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found as a sould be commissionership, to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found as a sould be commissionership to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found as a supplication of the commissionership to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found as a supplication of the commissionership to the responsible posts in the Secretarists, or even to Lieutenant-Governorship they are found as a supplication of the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership to the responsible posts and the commissionership

270-98 (20). Do you accept as generally attafactory in principle the present system under which Natives of India ser recruited for posts in the Indian Ciril Service active partly through the medium of an open competitive examination in England, and partly by special arrangement in India ?—The recruitment should be by simultaneous examination in England and India.

neous examination in logicals and raina.
27050 (21). Do you consider that the old
system of appointment of "Statutory Civilians"
under the Statuto of 1870 should be revived, and
if so, what method of recruitment would you
recommend !—I am not in favour of the revival
of Statutory Civilians.

of Shatutory Civilians.

27031 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should the adducted 2—No.

re-introduced, to whate extents, in your commonshould the adopted T-No.

27052 (29). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termel listed posts) to whole members of the Provincial Civil Service can properly be appointed 1-1 would promote the members of the Provincial Service to listed posts. That would improve the morals of the Provincial Service.

27052 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service X-Vess one year should be apent either at Oxford or Cambridge, and one year in travelling in Europe or America.

27054 (33). Do you think it desirable to starf, at some satishe piece in India, a college for the training of produtioners of the Indian Giril Service, and possibly of other Indian Services are suitable centre Indian Services are suitable centre like Bombay, or Calestta, would be likely to be more useful for all the would be likely to be more useful for all the Indian Services. I John young officers should not be first of all sent to districts where they are git to form initial opinious of India and Indians based on faulty deductions drawn from observing the lower classes of society with whom alone in such districts they are brought into contact.

27056 (4b). Do you consider that the exchange compensation allowance histoduced in 1883, eligibility for which depends on nationality of domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future cutrants? Exchange compensation should not be paid in future. It should be continued to those who get it at present.

#### Written answers relating to the Provincial Civil Service.

27056 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

27007 (54) Are all classes and communities duly represented in your Provincial Cut? Bervine? Do you consider that this is desirable, and what arrangements do you recommend to secure this object F—I consider that this desirable that all classes and communities should be duly represented in the Provincial Service. I do not think that the Muhammadans are adequately represented in the Provincial Covin Service. This should be remedied, especially in the Provinces like Bengal and Kind where the Muhammadan spoulation are in the majority.

27055 (60). Are the existing rates of pay and grading in the Provincial Givil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do your recommend?—I think the salartee should be increased in view of the improved standards of living and the general rise

Implore a sense. As a remain case was general acciin prices which has recently taken place in India. 27099 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approxinately at the rate of two-thirds of the pay craws in the same posts by members of the Indian Civil Service? If not, what rates do you aggest for the various appointment?—I think they should get the same salary as the members of the Civil Service get for the same posts when they hold them.

His Highness the Aga Khan, called and examined.

27060. (Chairman.) Your Highness is in favour of the present system of open competition?

Yes, on principle.

27061. You do not, however, consider it suitable for Indians?—No, not quite.

27062. And to meet this Indian disability you favour the establishment of simultaneous examinations in England and in India?—Yes.

27063. In offering this proposal you make no reservation of any kind in favour of what is called a European minimum 7—I do not think it is necessary. I think it is certain that there will always be more than a minimum, so far as I can lock ahead.

27064. I take it that you would be sorry to see the British character of the Administration disappear?—Yes, very. His Highness the Aga KHAN.

Catinet.

27065. You are convinced that not more than 15 or 20 per cents, at the most, of Indians would actually be recruited 7—1 do not think anything like that number would be recruited for the present, though I think it stight happen some day long abad.

27066. You would regret it if the European element were to disappear or were to become a negligible quantity? Yes; I should be very sorry if it came even to one-half or two-thirds.

27067. Holding that riew, what is your objection to having the matter pat on a clear fosting ?—I really think the contingenty is so remote that it is needless to stir things up. I would "let alegying logo life." I do not see that there is any neel of a guarantee. There is no danger of it. But once you incust that there was such a danger I should certainly put a gaintantee on.

27068. Your main ground for advocating simultaneous examination, apart from the expense to the Indian in going to England, is the educational progress which has taken place in India?—There are many reasons for it, and that is one of them.

27059. That is one of your chief reasons?— No, it is not one of the chief reasons. It is one of the reasons.

27070. Do you consider that the advance in education has reached a singe to justify the expectation that some Indian candidates may attain success in the near future in the Indian Civil Service Examination ?—That is for the Education Department. On the whole, yes, I think some Indian candidates may get through.

27071. Are you familiar with the standard of education in the Bombay University?—No, I am not really familiar with it, though I know something about it.

27072. Do you know to what extent the standard there would compare with the standard of the Indian Civil Service examination?—No.

27073. Would you be prepared to say whether that standard is as high?—No, probably it is not, I hear that it is so much more difficult to pass into the Indian Civil Service.

27074. If it is not up to that standard, and we have had evidence that it is not in certain branches, would not a conditate to succeed have to go to a crammer?—It is for the student to work very hard at it himself.

27075. So far as I understand you, you do not contemplate that cramming establishments will be instituted in India?—I daresay that in time there will be crammers.

27076. Do you think that the introduction of enaments into India would be to the advantage of India, regarded either from an elucation of from a political point of view ?—I do not think they would do any larm. It would be one other way of getting knowledge.

27077. It is not a very satisfactory form of knowledge, is it?—I have never been to a crammer myself, and therefore I do not know much about it.

27078. Although you have not been to one, you are probably familiar with the effect of cramming on the educational position of a young man. Would you not run the danger of increasing, to a

very considerable degree, the number of what I may term "artificially educated young men":—
I do not think it is very probable.

27079. Do you not think that a large number of Indian young men would minage to get into the Indian Crit Sevice 2—If that happend, the number of would place a minimum on, and you would give the way of getting in. The moment the danger arose one would deal with it.

27080. You would be prepared to deal with the danger of a large number getting m? Yes, if the danger armse, certainly, at the fact regat of it.

27081. Do you think that that will be an appropriate moment to deal with the danger :—I really do not regard it as a danger which is no very approximate as to deal with it now.

27/882. Assuming that there are a danger, between rounder, would you say that it was better to with until the thus had arrived when a larger number of Is ion students had been sone daily in the examination deal with the situation or would you deal with the problem in the early dang when you were would thing the examinate in 2.2. There are two alternative maps of d aim; with it. One is now to take remainable must be either is to wait until the danger artise, and then deal with it.

2.083. That is my point. Ven think at ibetter to wait until the dancer arises — Yes, simply because I think the dancer is so made in I have gauge through the Syllakov of getting into it. I this k is very improbable, anythor for time years, that anyboly will get in through In his.

27084. You think that, perhaps, in five warindividuals might do so? Yes, they might; and then there would be ample time to deal with the matter.

27085. You do not see any difficulty in the way of imposing a reservation at that parlies by moment half think the principle is admitted by most sensible people that the spirit of the Service, and its numbers, must be Bettsleb. I solunt the most heartify and that being the restyl do not see why it should be the pain when the danger arises rather than patting it in beforth and

2008. It is because par how so hearthy admitted this that I have sked you whether yet do not conside it a niver and a better 1 shap, in the interests of India, to injust the re-creation now somer than hear?—Certainly, if the diagree afone there must be this necreation; and it is for Streetmen, rather than for a whiten, to say whether it is better to put that reservation now or later.

27087. "Sufficient to the day is the cril theoof" "—Yes. Otherwise, on principle, if there are any danger of its becoming more than 20 p r cent. I should certainly be one of the first to ask for legislation about it.

27088. You suggest that there should be variations in the Syllabus of the examination t— Yes; I have suggested some very flight variations.

27089. Variations in the direction of including subjects which would be more favourable for Indians :—I should like to put Persian, with 500 Indians :—I should like to put Persian, with 500 Indians on the same level as French and German To do so would not be such a very great time.

3rd March 1913.1

And I should also like to put Saaskrit and Arabie on the same level as Greek and Latin. With regard on the same level as Greek and LREID. With regard to Sanskrit and Arabie, I do not say that it is so very necessary. I do not hold very strong views upon that; but I think that Persian ought to be placed on the same level as French and German.

27090. That, of course, would add materially to the chance of Indians being successful in the examination ?-It would not do so very materially. It is only 500 marks, I believe, or something like

27091 You are satisfied, I believe, with the present age-limit for the examination?—Yes.

27092. If it could be shown that the present re-limit is unsuitable for obtaining the best British officers, would you favour a reduction of the age? - No, I would not, because I cannot admit the first premises.

You do not agree with the view which 27098. some people held that the age is too high?-No. It is no use bringing boys out as administrators.

27094. You do not regard it as of importance to secure for the Indian Civil Service Indians who are representative of the various Provinces and communities ?-- Provinces I have not thought about very seriously. So far as communities are concerned, I do not know; but I would not have any communal separation.

27095. You do not think there would be any difficulty in posting an Indian from one Province to another?—No. I think it would be rather a good thing.

27096. We have had a good deal of evidence during our enquiry to the effect that the Muhammadan community would suffer under a system of simultaneous examination. You do not share that view ?- I think as long as you have got examinations it ought to be an open door; otherwise you would go about it in another way.

27097. I observe in your answer to question (54) that you advocate that Muhammadans should be recruited in greater numbers for the Provincial Civil Service?-Yes.

27098. What distinction do you draw be-tween the Indian Civil Service and the Provincial Civil Service in this respect ?-First, in the Indian Civil Service the present system does not guarantee any limit, it would be introducing a new principle into it; while, in the Provincial Civil Service, there is more or less a moral understanding that certain Muhammadans get in in practice. That is one thing. Secondly, one expects from a man who has got into the Indian Civil Service (and has had the brains to get in) a certain greater liberality of view than from a man who gets into the Provincial Civil Service. Thirdly, the Provincial Civil Service man has to deal very much with the smaller questions which are not likely to come before Government, or before public opinion, or before the Press; so that he can favour his own people more than a man high up who has to deal with more important questions.

27039. Do you anticipate that Muhammadans will soon stand a fair chance with other classes and creeds in competitive examinations?—No; I think their chance would be worse than it is

27100. You ask for an increase in the salaries of the officers of the Provincial Civil Service ?-

27101. And you do so on the score of the improved standard of living, and the general rise in prices ?- Yes.

27102. Can you tell us what you would regard as a suitable rise in salaries? - Prices have risen so much of late years. People with fixed meemes are not having a good time now as compared with people who have not got fixed incomes. I think a general rise in salary would be a good thing.

27103. Are you in favour of instituting a time-scale ? - What does that mean ?

27104 The automatic increase every year of pay in the various grades?—I have not considered I may say, however, that I should like to see Collectors get more than they do now, and also Government officers in big towns, and the Secretaries to Government who live in Bombay and Poona. It is absurd that they should get the same pay as they got 10, 15 or 20 years ago. On the other hand, there are places where it is different. The rise in prices is greatest in the towns, and also where new social duties have arisen.

27105. You are not prepared to give us any details; but, generally, you would like to see better terms, as far as salaries are concerned, for the Service?—Yes, for all the officers who live in

27106. (Ser Murray Hammick.) I should like to ask you a question with regard to the remark you made just now that you thought Muhammadans would be no worse off under simultaieous examination than they are now. Do you not think that out of the number of candidates who go home to prepare for the Indian Civil Service, Muhammedans bear a considerably larger proportion to the total than they would be likely to bear to the total number of students who went up for simultaneous examination in India?-I think that for the first three or four years that might happen; but Muhammadans have woke up to sending boys to school.

27107. You think it would be only temporary ?-I think it would be only temporary.

27108. You would agree, first, at all events, that Muhammadaus in simultaneous examinations out here would be considerably more bandicapped than they are in the examination at home?— Honestly, I believe that for the first few years nobody would get in from simultaneous examina-

27109. So that it would not very much matter ?-No; I do not think it very much

27110: I take it that one of your objections to the exclusive way of getting into the Indian Civil Service by examination at home is that you think students who go home run a great deal of risk in their character and so on, by being sent to England to pass their examination, and their having to live under not very good supervision for three or four years before the examination takes place: I suppose that would be one of your objec-tions to the present system?—I say that so far as their being two or three years in England, looked their need evolve ourse years to longuage noises up, working hard at study, merely learning the thing up, they might just as well do it here. They would not, of course, get into touch with European life and people. The only danger I authorate would be the cramming effect of it.

27111. You do not regard the dangers of student life in London as any great objection? Those who go up for the Indian Civil Service have to work so hard at it that there is very little time

for anything else.

27112. Supposing you cannot get simultaneous examinations, what would you think of the system which has been suggested to us of giving scholar-ships to selected boys much younger than at present, boys of thirteen and fourfeen, and sending them home to public schools in England with, more or less, a guarantee that if they do not get into the Indian Civil Service, assuming their conduct was good, they would be provided for in other Services in this country? It that were possible, what would Your Highness think of a system of that kind ?-I should be opposed to it.

27113. Do you think that parents would be ready to send their children home at that age?-Some might, and some might not. Parsees pro-

bably would.

27114. What would be your objection to a scheme of that sort ?-To begin with, I should say that it was for the parents, those who had made their money, and believed in that. I do not think that it is the business of the State to help parents to give luxuries to their children. I should say, let those parents who believed in that, pay for it. I should not oppose that, but I do not think it is the business of the State.

27115. You would not take the objection that these children would be too much Europeanised and that they would come back too much out of touch with the people of this country?-I think that parents who are rich people might send their children to England. I would not object to that because when they come back here they will have, more or less, some concern in their own social life here as they would have in England. If they have the means let them go; but if they have not the means, I do not see why the tax-payer should pay for it.

27116. I do not understand how you fit in You would not toach the present age. our ages. Do you think the present ago is satisfactory? - Yes, I think, on the whole, that it is a good thing. He has time to learn things.

27117. In answer to question (14) you say that you think 25 is a suitable age for Civilians to commence their duties ?-Yes, to commence their duties.

But in answer to question (29) you 27118. suggest that they should have two years in Europe; that one should be spent at Oxford or Cambridge, and one year in travelling about; and then in answer to question (33) you suggest a col-lege out here?—Yes, a college out here, but only for Englishmen.

27119. That is what I wanted to get out. You intend that Englishmen should only have one year at home instead of two?-Yes, on probation.

27120. One year at home, and then the college for Englishmen here ?-Yes.

27131. Do you think it would be a good 2012. Do you tunes it wouse De a good thing to shar up Englishmen in a college in one central place for two or three years? You say you think that young officers should not first of all be sent to distincts where they are say to form initial opinious of India and Indians based on Cabble Adultions. It was sant them sould have faulty deductions. It you sent them and shut them up in a college in one part of India, they

would not get any association with Indians during that period ?—I would suggest about firity or fifty of them going on tour, and looking at the interesting things in the country. For instance, send them up to Agra, and so on, on tear in the same way as they do with the Staff College people. They send them to the battlefichle. They would go in the same way, see the country, and learn its history, and so on. I think that would be a good thing; and in that way they would know more about the country.

27122. Probably one great objection to a scheme of that sort is that it would be rather expensive to keep a set of boys here at one college under the supervision of Europeans, and have them sent about the country and to mix with Indianof good society and see interesting places. It would be very nice for the boys, but rather exper-sive for the Government?-If the Government were ready to send hoys to Rughy and Lion for their education, where they would have a good time, I do not see why they should not do no! I suggest in this case, for these young fellows would he their own servants, and they would marit more.

27128. (Sir Palentine Chirol.) I should like to ask Your Highness further about what you regard as the effect of sending young Indian boys to England at an early age. You have, I suppose, made some observations of your own. You have, probably, followed the careers of a certain number of young mea who have passed through that form of education. Do you regard the result as an etifactory on the whole of sending boys to England to be educated young, and to have, what we call, a thorough English education? Do you think the results, when they have returned to India, have been unsatisfactory !- Yes, on the whole I think they have. It has not been sufficiently satisfactory as to be remarkable. None of them have shene in any way.

27124. Do you know of instances where it has been remarkably unsatisfactory?-Yes, there is the

instance of Ambinda Ghose. 27125. You have not personally come across cases which have been eminently satisfactory?-No, not one

27126. On the other hand, you are extremely anxious, I understand, to preserve in the adminitration what is called the "British tone" :- Not only British tone, but Loglishmen. I know i far as to say that it must be essential not only that there should be British tone, but that Englishmen must be in a prepanderating majority. That, I fully and sincerely admit.

27127. Supposing, for a moment, that you had to assign some limit to the number of Indices whom you think at the present moment it would be desirable to have in the administration of the country, what would be the percentage of Indians which you would be inclined to name? - Naw, it is only 6 per cent, which is a surdly small, I

27128. Then what would you consider to be reasonable !—For the next few years, I should say

10 per cent.
2712). And then yet would have that revised from time to time?—Yes, naturally. Every decide or so it would have to be revised, a slight increase.

But you think that at pres at 19 p r 27120. cent, would be a reasonable percentage?—Yes, But as I do not think there is any danger of getting more I am not sure that; as a matter of 3rd March 1913.]

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His Highness the AGA KHAN.

continued.

luctics, it would be a good thing to have it. It is

purely a tactical question.
27131. We are engaged in an enquiry which, it is to be hoped, may result in certain recommen-dations which will be, probably, for a series of years the basis for the recruitment of the members of the administrative services of this country. Do you not think it would be wiser at the present no you not think to would be wised as any present time (if the contingency does not arise, no harm is done) and to settle some sort of basis or limit which would last for a certain number of years, possibly subject to a time-scale on revision, rather than leave the question open, as you suggest, to chance, which would compel (should results arise, which you regard as improbable, but which might arise) the whole thing to be again revised?—In your question you used the words "few years." I think that within a few years it is not only improbable, but impossible. I think that within the next five or ten years it is impossible that there would be anything more than 10 per cent.

27182. Do you think that it is impossible within the next twenty-five years?-Twenty-five years in India is more than a generation

27133. You must remember, after all, that the last Public Services Commission took place about twenty-five years ago, and therefore one may hope that there will be a certain finality for the recommendation of this Commission covering another generation. Do you think it is absolutely safe to leave that contingency entirely out of our calcula-tions?—This Commission has come out to study the whole problem, but this is only a small question. The moment you see so many Indians coming in, say after ten years, there might be Government Resolutions saying that after such and such a date only such and such a percentage may come in. I would deal with the matter by a Government Resolution rather than by a Commission of this

27134. You think it would be easier for the Government of India to place a limitation, which would probably be unacceptable to many people, simply by way of a Resolution, than it would be for the Government of India to do so backed by the recommendations of a Commission such as ours with the full consideration of His Majesty's Government at home ?- I think this Commission might give the Government of India power to move by Resolution. You might say, for instance, in your recommendations that the moment such and such a percentage got in the Government should deal with it.

27135. Going to another point, you are the spiritual head of numerous Muhammadan communities in India, are you not?-Of one sect only. 27136. Numerous Muhammadans?-It is not very numerous in India, it is very small.

27197. It is not a community which is likely to formish any large quote to the classes who may be expected to compete in the simultaneous examination?—Amongst Muhammadan communities, it is a community which, for its numbers, will probably have more in proportion to any other.

27138. I ask you about your own community because you are more closely acquainted with the feelings of your own community than with those of Muhammadans at large. Is your community disatisfied with the present system of administration of the Government of the Gover tion of the Government?-No; they are a very loyal community.

27139. Are they not satisfied with the agencies through which the administration is carried on, the agency of the Civil Service?-They think it is a very good service, and all that; but they think there might be a few more Indians in it. That is the feeling, that after eix years, 6 per cent. is a very small proportion.

27140. Do they think they would benefit by the possible importation into the administration of a very large Hindu element which has no special interests in common with your community?-Certainly, if you put it in that way, a very large mixture of Indians, I think the average man would rather be taken aback by it; but a small

increase is quite different.
27141. You are auxious to preserve not only the large number of Englishmen, but also the British tone ?-Yes.

27142. And you desire, I suppose, that the Indians who enter the administration should be, in regard to what are considered the best characteristics of Englishmen, on a level with them ?-Yes, or anyhow, aspiring to have the English spirit in their dealings with affairs.

27148. And you think that that can be as well acquired by education in India as by any education in England? - Looking around me, the men I have seen who have had most of this spirit were men who were brought up by the best Englishmen in India rather than men who have gene to England; so that, judging by that, I say you ought to get it just as well here after so many years. The men, who have that desire, who have that spirit, most in their lives, are the men who have spent their early lives here, who have been educated here, and who afterwards went to Europe.

You think that these men you have in 27144. your mind are not exceptional, but they are conspicuous representatives of a type which is becoming smillioently general among the educated class in India?—Yes. What I say is this, that it was only the last generation which began to produce that type, so that probably in the next generation there will be more of them. That type, so far, has been more produced by men who have been brought up here, on the influence of their own family, and people, and religion, rather than by those men who have gone to England for their

education. 27145. Looking round generally at the results of western education in India amongst the young men of the present day, I should like to ask you whether you mean that the results are such as topromise a considerable increase in the number of Indians who can share the best characteristics of the English mind and English temper without having been to England?—I think when they are grown up they ought to go to England, when they can draw conclusions for themselves. I think they

ought to see English life. 27146. The proposal which has been made by a great many witnesses to us is that opportunities should be furnished for the larger employment of Indians by increasing the number of listed posts to which access is obtained now from the Provincial Civil Service, and assimilating the position of Indians who have obtained those posts absolutely with the position of Civilians. Is that a recommendation which you would condemn?—In what way assimilating the position to the Civil Service; only in pay, or in what?

27147. That they should on being appointed to what are now called these listed posts become

Better 18

inso facto members of the Indian Civil Service, in the cadre of the Civil Service, with that pay, and, I presume, the ponsion?-The pension would com-

plicate things very much. 27148. But assuming that complication can be got over, would you condemn that?-Would they have the same prospects afterwards of he-coming Commissioners and Members of Council?

27149. That is the hypothesis. They would be assimilated entirely into the Indian Civil Service?—Then it would be a very good thing. It would bring in more from the Provincial Civil Service. It would give chances. Yes, I think it

would be a good thing. 27150. Do you think that the proof given by men in the Provincial Civil Service who have worked for a certain number of years, and have shown in their administrative work the same qualities which we desiderate for the Indian Civil Service, would not afford a better qualification for entering into the Indian Civil Service than any competitive examination ?- I think it would be a very good thing to have a certain amount of

both sorts. 27151. Will you kindly answer my question? I will put it in another way. Do you think that open competition would give a tetter guarantee for fitness for work in the Indian Civil Service than the fact that a man in the Provincial Civil Service already for a certain number of years performed the work of his post efficiently, and has actually displayed those characteristics which we all desiderate in the Indian Civil Service?-Tho man who has displayed that is naturally better. He has given the proof of his efficiency. You see the result of that; while the other, at the best, is a dark horse.

27152. Not that you believe absolutely that open competition is the one way of proving the efficiency of men in the Indian Civil Service !- So many men who have failed in the Indian Civil Service have proved themselves wonderful men at the Bar.

27153. There is only one other question I should like to ask you. I understand that you wish to give Persian literature the same marks as French and German ?-Yes.

27154. Of course I need not say that you are quite acquainted with the part which French and German play in the culture of Western eivilisation and progress. Do you think that for and occurring pay in the carried of restern eivilisation and progress. Do you think that for the purposes of breadening the outlook of a young Indian student and familiarising him with the mind of the West, and with the thought of the Western world, Persian can afford, in any way, the same advantages as German or French?-Not for his mental equipment so far as the West is concerned. If you limit it to the West, no; but if you say for his general mental equipment, allowing that he has had a good education in English, and in the classical history of the West. I think the addition of the humanities of Persian literature would be as useful to him as the extra knowledge of the West which he will get from French and German literature.

27155. It is not that you underrate the value of a knowledge of German and French :- I think that German and French are most excellent for Indians, but I think, especially for Indians, that a certain amount of knowledge of Persian would be of great importance.

27156. You would not describe German se it was described by a witness in Calentta as a nising

language in the way that the Bengali language is amongst Indian language (-No, I would not. 27157. (Mr. Madge.) In your suggestives relating to the recruitment of the Public Service. has this idea occurred to you, that the Commission may have to consider whether the interests of the great masses of this country run in the same direction as those of a small elucated class, and that we may have to consider how far the conditions of recruitment bear upon that question? Are they the same in all respects, and if they are not, whicher we have not to consider whether the regraitment which would serve one class would serve the great masses equally well?-The welfare of the nation is one and the same, I think.

27158. Do you think that the conglomeration of the peoples we find in India at the present moment constitute a nation in the ordinary was of the term?-No, not in the European coice of the term, but in the geographical expects in which we call India.

27159. But there may be divisions in that Empire, the interests of some portions of which do not run in exactly the same direction as there of others. And here I do not compare one Province with another, the great ignorant voice's. masses on the one hand, and the small educated macres on one one amo, not the SWIII difficult class on the other. I do not say that their interests are different, but it is quite conceivable that they may be, and that Government, and this Commission, may have to consider the condition of recruitment with reference to the difference

between these two classes ?- I think this place is like Russia. There is a small minority of a lumber people, and a vast ignorant majority, in-t as in Ruesia. It is on the same level in a way. 27160. But in Russin you practically have a

homogeneous Slave population, which you have not in this country?—I thought you meant that you put the difference between the innorant and the educated, and not the difference between various communities.

27161. That was the main consideration in my mind. I should like your epinion up n any portion of my question which you would care to give an opinion upon?-I think, roughly speaking, as one speaks in great generalities, that I might say, yes, it is the same interest. In the general sense in which the question has been just my answer is that it is the sume.

27162. In your answer to question (41) occup; "I would adopt the system of recruitment to the exigencies of modern times so as to give a wide scope for satisfying the legitimate aspects of their Indians and the fullest development of their talents?" Now, apart from any successive with h you have already made, have you considered any method of enlisting, say, the come of good La mi juin in families, with local influence? this way. For instance, L of Caraon start-I the tine way. For instance, he can be a constituted for the could you think of any change for colleting in the Civil Service men of lead inflaton, who the CNN cervice in a constant of anticopy why would be a great help to the British Government if they could be brought in 5—8 mething like the Calet Corp.—ges, I think it might be done with a lyantage.

27108. It would be a great help to us if year in year position, could give us some suggestion of any motiful by which that they might be gathered in 1—Places like the Rollmann Coll gas might be therea-el all ever Itel a.

27164. As a matter of fact, have students of the Rajkumar Colleges enlisted to any extent in the Indian Civil Service?—Unfortunately they cannot. They are not Natives of India. That is

the misfortune.

69

27165. But you think that if similar Colleges were instituted within British territory we might get hold of men of that stamp ?-Yes, I think so. And if social influence could be brought upon parents and relatives to send their children there. that also would be an advantage; because many of that class, the moment they have sufficient to live upon, have not sufficient incentive to do anything. 27166.

Would it be of immense benefit, both to the Government and to the country generally, if public spirit could be developed in that class to the extent of making them join the Indian Civil Service?-I think it would be a very good thing,

the very best thing.
27167. Having regard to the fact that for a considerable number of years many students under the simultaneous examination system would not get into the Service, and, on the other hand, even if a large proportion got in, they would be comperatively small in relation to the whole mushes of students competing, do you think that any dissatisfaction which is now left would be allayed by your suggestion?-Yes; I think it mayor by your suggestion:—Its; I times is would shew that it was "a fair field and no favour". It would open the door. 27168. Do you mean that a concession would

be made to sentiment?-Yes; and in some cases it would greatly help certain classes. It would very much help some very brilliant boys of companitively poor parents who are too proud to go and beg from other people in order to pay the expenses of sending their children to England. Now, the only poor people who go there are without much spirit of self-respect. In my position I have constantly had people asking for that kind of thing, help and assistance for sending their children to England, while similarly good

people would not do that, for they are too proud to ask. It would give those boys a chance. 27169. With reference to the British tone which you think it desirable to maintain in the Service, do you think we can ever perfect our machinery so highly as not to depend at all upon the personality of the official?-The human equation will always remain. There will always lie the human equation. It is one man and another; and it will always make a difference

27170. There is this about it, that if there were defects in the machinery the personality of the officer might correct that; whereas, if there was a defect in the personality of any officer, no perfection in the machinery would compensate for that?—No doubt a very had man might spoil any machinery, and a very good man could

improve anything.

27171. Is it not a necessary inference from that that it is absolutely necessary to maintain a strong personality rather than merely perfecting machinery that would work automatically?—I am taking the average. The average human being is neither one extreme nor the other; so that good

is neither one extreme nor the other, so since grown machinery would make the average work better. 27172. With reference to the increase in salaries, of which you are in favour, you have referred to residence in towns ?-Yes,

27173. There are two distinct questions, the one is the relative expensiveness of living in towns, and, on the other hand, the general increase in prices all round. Would not an increase in salaries all round be better on the one hand, while a house allowance, or something like that, might be made for town residents? It is not necessary to entangle the two questions. They are quite distinet. One regards the rise in prices everywhere, and possibly we may not come to a conclusion about that until the Prices Commission has issued their Report. Do you not think it is wise, regardless of town residents, to raise the salaries all round with reference to the rise in prices ?- No, I do not think so, because, in some districts, although prices have risen as to necessities there has been no great increase in luxuries in the same way as there has been in towns. In districts so-called luxuries have not become de facto necessities; so I do not think that that alone would justify

27174. Would you not really be in favour of a house allowance in towns?-I am in favour of a rise in pay in towns.

27175. Not pay, but house allowance. That would remove them from the general question of the rise in prices?—Yes, I might give house allowance; but I would prefer to give a man a round sum, and let him get along for himself. If he had a house allowance he would be all the time worried as to whether his bouse was caush or not, to the allowance he gets.

27176. You have said that districts vary with regard to prices. You do not think you can take in a general view the fact that there has been a rise, it may be more or less in some places, but has not there been such a general rise as to make it desirable to mise salaries?—I think the mere rise in prices has not been sufficiently great to make that necessary ; but I think the rise in the amenities of life, in addition to the prices in towns and important places, has been so great that it would necessitate a rise in salaries.

27177. (Mr. Macdonald.) With regard to the training of Indians in England from the age of 14, you have expressed general views about it, Supposing, as a matter of fact, this system were adopted, and that we gave scholarships and sent them over to England, and brought them back here as members of the Indian Civil Service, here as members of the Indian Civil Service, would it, in your Highness's opinion, very largely improve the character of the Indian section of the Indian Civil Service cadre ?-I am taking it as an impossibility. I am very much opposed to the whole thing. I think it would be a bad suggestion.

27178. Would you dot your i's and cross your t's by answering, that question? Supposing, as a great misfortune, that system were adopted. In your opinion, and from your knowledge of the roung men, both Muhammadan and Hindu, have gone over to Bughnd at the age of 18 or 14, do you think that the Indian section of the Indian Civil Service would be much improved?— Judging by those examples which I have seen (of course I have seen only limited examples) there would not be many. I do not think it would be improved, judging from those I

27179. And so far as objections are taken to the capacities of the existing Indians in the Indian Civil Service, you do not think there would be any improvement if we adopted this method?—What are the objections taken to existing Indians?

3rd March 1913.7

His Highness the AGA KHAN.

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27180. I do not want to go into that? -Unless I know what the objections are I cannot

27181. There are certain objections that they have not got enough of the characteristics of Englishmen, that they are very good officers in Engishmen, that they are very good officers in many raspects, but that in crisis they are not quite so rainable as they might be. I am thinning of the whole bulk of criticose which has been placed before us. The proposal is that in order to eliminate the experience—deficience—this scheme should be started. Do you see the patition?—It is every hypothetical. The system has not yet been closed. tried. I have no reasons, from the examples I have seen of those who have been brought up in English solicols, to imagine that they would be so very different from other Indians of the same age and

class. That is all I can go ou. 27182. That is all I thought you would be able to say, but I wanted to get it so far as that. With reference to the changes you propose in the Syllabus, I suppose your assumption is that only the Indian candidate would take Persian; or do you assume that the English candidate would also take Persian?-I should like the English candidate to take Persian. I think it would be a very good thing if he took it; but I think, on the whole, an Englishman is much more likely to take

French or German.

27183. At the same time, you think it would be far better if English candidates had a little more knowledge of Oriental culture?-Yes, I think it would be a very good thing. It is greatly needed.

27184. Let us look at it from this print of view. If the English candidate, after having spent time in acquiring a knowledge and a sympathy with Eastern culture, should happen to fail in his examination, and never get into the Indian Civil Service at all, that would be rather a bad plan, would it not?-Yes, it would be a very

27185. How far would you agree with this conclusion, that it is far better to select your subjects for the open competitive from a somewhat less specialised series of subjects, and then give a much longer time for probation after they have passed their open competition, and during that time of probation introduce your English candidates to Bastern civilisation and Bastern culture?—You mean that after he has passed he should get into touch with Eastern civilisation and Eastern learning: that would be one way; and in the case of Englishmen you might give them more marks for Arabic and Sauskrit than for Persian if they task

it up.
27186. I should like to get your opinion ibut it. The theory about this open competitive examination is that when a mru falls he has not wasted time in preparing for it which will not be useful in adopting other mems of livelihood; that is the fundamental theory? -It would be a

good thing

27187. My suggestion to you in order that I may get your opinion, is that we ought to rigidly keep to that so far as the open competitive examination is concerned, but that we should in eq your point, name'y, to bring the Englishman into closer contact with Asiatic culture during the period which we call the probationary period. What I should like your Highness's opinion upon is do you think the Commission would be well advised if it went upon these lines, that far more care should be taken after he has passed to introduce him to India in all its aspects? - To its

intellectual and restbetic aspects, yes. I think it would be very good.

27188. And therefore that we should be, perhaps, better advised if we laid emphasis upon Persian, and all that it stands for in your mind, during the probationary training, rather than lay emphasis upon it before the open competition has been passed !- Yes, I think that would be a good

thing too.

27189. If you do that you do not example the English candidate to waste a contain amount of his time, assuming that he is ansuccessful '- If you say before he passes, I follow. I under-tand that you nt Oriental learning on the same level as, in, the grand tour of Burope. I think that is a very

good thing for the European. 27130. Have you thought it pat If you work out the two periods of the candidate's cover, before he has passed his open competition, and after he has passed his open competition, but he for he goes into active service, if you would draw the line between the period of the open competition and the period of probation, and if you have got the idea that I suggested to you about making the probation a full training in Oriental experience. must not you reluce the age at which the open competition is held :- It present the probation-ary penal is two years. One year you were going to give () Oriental fraining, as I understall,

27191. At present it is one year?-Well,

then, you will have to relace it, re-

27132. You would have to increase the prohation?-Yes, you will have to increase the probation, and do away with the Oriental learning from the earr-culum.

27193. If my mint was rooming very north upon these lines, your Highness does not so your much objection to it? - I approve of it on the condition, that afterwards there was the Oriental learning. I thank it would be a : they should know in we about that, I think it would be a good thing that

27194. And in that probationary period you would not only bring in Persim, but Indian Beamonies and Indian Hetary, and Indian Administration?-Yes, and the lest interators Cut.

existed, the best literature of the country. 27195. There is one question which I should like to ack your, which is germine to this, and I am sure year Higherss will as is, us by the wing arm sure your ringings with a set me by the avera-some light upon it. In the In that Civil Secre-endre, in its example uses, you say that the Burapean element must be represented, not may be by men trained in England, but by Englishmen? -Ye-.

27136. Then is your ilea there doubt be another exclusive his and gives to be die at the

affred Indians !- That is .

27197. But Indians who substitud England?—Yes, Indians who malested England. that is so.

27108. Indian who are alt princh of as Englishment - Ves. his Englishmen was under-

stand Germany.

stand vermay.

27193. Therefor the problem will have been to have whether we do it seemed like to make far as the Is hands occurred, is heavened by by hat a the I man restrict a tracking history competition and by who punt tracking history who will understand Brechsh in thele, but who will come book to bollo with their foundation in Inlin. Tantien very greenly opposite a. Do I understand that your Highness agrees with the From that fundamental proposition a great many things follow ?-Do you ask, how you would bring

that about ? 27200. Do you agree that that is the problem ?-That is the problem of the country, of course. The question is, how to do it.

27201. You agree with that sort of general idea which I have been putting before you?—Yes: an Indian who actually is an Indian, and has remained an Indian, and yet who has got the spirit of the West, and who realizes how an Englishman would look upon things.

27202. (Mr. Sly.) How many years have you been Fresident of the Moslem League?—Since its foundation.

27203. In what year was it founded?-In 1906 or 1907, I am not quite sure of the date. It was really formed in 1908. It was being formed between 1906 and 1908.

27204. Can you tell me whether the Moslem League has considered the question of simultaneous-examination, or not?—It is being considered by all the branches of the League I believe at this

27205. And by the Central Committee?-They began considering it when I was at

Lucknow. 27206. Have they considered it on any previous occasion ?-No, not at all; now it is on

the tapis. You contend that under simultaneous 27207. examination very few Indians will get in for some years ?- Yes.

If that result were to happen, do you 27208. think that it will raise any political problem of importance in the country? If this examination was held in India, and it was found that practically no Indians were successful, would there be any great political disappointment in the country ?-If they are sensible men, and reasonable, there ought not to be. It is their own fault if they cannot

27209. You say if they are reasonable?-Reasonable and sensible people would come forward and tell them. There would be two sides. When people are reasonable certain men always stand up against them, even in India.

27210. You have suggested to us that instead of the 6 per cent. of Indians who are at present in the Indian Civil Service, the number might be

raised to 10 per cent., and gradually increased up to 20 per cent, ?-Yes.

27211. In making that recommendation, have you considered the fact that there is at present a certain proportion of Indians already recruited for superior posts, by means of what is known as the listed post system?—I say in addition that I would not take in half of the listed ones

already given.
27212. At present the listed-posts held by Indians are about 8 per cent, of the superior posts; and, of course, if we include the inferior posts, the percentage is very much larger. Is the 10 per cent. that you recommend, irrespective of the number of listed posts altogether?—Yes, irres-

rective.

27213. Can you give us say maximum that
you would suggest for listed-posts and direct
recruitment?—These might, be one or two pe
cont, increase of listed-posts and then it could be
increased to 10 per cent, and then to 15, and then
'-m' ver count, he can'd he. to 20 per cent, by and by.

27214. But you have not considered the question of percentage by joining the two separate factors together?—No. I have not. It is a very simple sum to work out.

27215. It comes out to rather a surprising . result. You have given us an opinion largely in favour of the education of Indians in India preferably to sending them home to England as

young boys?-Excuse me, not as an abstract

proposition. Having regard to this opinion of 27216. yours, with regard to Indians educated under Western methods in India, failing simultaneous examination, do you think there is any suitable method of direct recruitment to the Indian Civil Service which could be adopted in India?-It could be devised, of course. I have not thought carefully of an alternative method, but it could be

devised. 27217. Are you prepared to help us with any suggestion of an alternative method?-The only good one I have so far read is that of Mr. Natrajan's in the Indian Social Reformer. I thick it is a very good alternative. It is the only alternative I have so far heard suggested.

27218. And that is the one you suggest for our consideration?-Yes, as an alternative. That is the only one so far that I have come across.

27219. In your answer to question (19) you have suggested that Indians should be promoted to Commissionerships, and even to Lieut-enant-Governors, if suitable ?—Yes.

27220. I wish clearly to understand to what point you refer in your answer. There is no bar at present on an Indian member of the Indian Civil Service rising to those posts?-No, there is no bar : I hope no bar will be placed.

27221. But it is not any change that you recommend?—No; there cannot be any change.

You cannot force them to appoint men. If a man comes up, and if he is sufficiently good for it, let

him be appointed. 27222. You do not desire any change upon that point?-No, except that if a man turns up and he is good, by all means appoint him.

27223. He is eligible at present, is he not?-You leave it as it is.

27224. I wish to understand your scheme of probation and training a little more clearly. For successful Indian candidates for the Indian Civil Service, do you recommend one year at the University?—Yes.

27225. Followed by one year's travel in Europe?-Or in America. I would give him the choice

27226. And for the English successful candate what do you recommend?—I rather approve of Mr. Macdonald's idea that his two years should be spent in India more or less studying Indian Literature, and Indian History, and Indian Economics, and travelling about India generally.
27227. Two years in India?—A few months

to begin with he might spend outside.

27228. Not spend one year at the University in England?—No. He is supposed to be sufficiently imbued with that.

27229. Then you refer to what you consider to be certain drawbacks in the training of Indian Civil Service men in districts. You say: think young officers should not be first of all sent to districts"?—I mean men who have never been in a big city should not be immediately sent to districts.

Interior

27230. You think that the first training of European members should be in towns?-Yes. or near a big town ; what I call the refined parts of India.

27231. Do you not think that if the Euro-pean Civilian's training was upon those lines, he would fail very much to get into touch with the would not very meet to get mot toden with the ordinary agricultural problems, and peoples of India ?—He is sufficiently young to learn still; and he would not be any older than he is now.

27232. The system hitherto followed has been, as far as possible, to keep them away from large Presidency towns, and send them out into large resinced towns, and send them out into districts so as to get close in touch with the agricultural conditions and peoples of the district. Do you now wish to reverse that policy?—Was it ever a policy, or did it grow up? The fact that he was very junior was the cause of his being sent straight to a small appointment. Naturally

he went there. Was it a question of policy? 27233. It was a practice?—Yes, it was a practice.

And you wish to change that prac-27234 tice ?- Yes. He is only on probation for two years,

and his probation is to be in India. 27235. (Mr. Gokhale.) The views set forth in your written answers are, strictly speaking,

your own ?-Yes, entirely. 27286. At the same time, can you tell us to what extent they are shared by leading members of your community?—What do you mean by "say community"? I suppose you mean by the Mussalman community of India. 27237. Have you had any means of knowing

what views are held with regard to the matter by leading members of the Moslem League?-I have naturally discussed it with all the Muscalmans of some importance whom I have come

27238. In Bombay or elsewhere?-When I was up country at Lucknew I had the opportunity

of speaking to them.
27239. To what extent are these views shared 27239. by the leading members?-What do you mean by

these views"; which portion? 27240. Those about simultaneous examinations?-On that point I do not think I have heard a single voice against it. Every Mussulman I have asked about it up country has been in favour of it. Of course I did not cross-examine them as you are cross-examining me. Asking them generally, they were all in favour of it,

them generally, they were so in in avoid of it.
27241. That is enough for my purpose. Has
the Bombay Presidency Moslem League expressed any opinion, do you know?—I believe it
has sent in a written paper, but I have not

read it. 27242. Do you know what that opinion is ?-No, I have not read it; and I do not quite know

what it is.
27243. I believe it is in favour of simultaneous examinations. You yourself advecate simultaneous examinations?—Yes. what it is.

272.44. And, at the same time, you do not propose to lay down a minimum for Europeans

27246. Because you think the danger of Europeans falling below the required number is exceedingly remote 2—That is so.

27246. It is really a theoretical danger calv !-That is how I look upon it.

27247. And the same theoretical danger exists today? - Yes.

27248. Because if a large number of Indiana go and compete in London there is nothing to present them?—As a matter of fact, there are thousands who can afford to send their children but who do not.

27219. The Government have allowed that danger to remain unprovided against ?- Ves.

27250. And you would deal with the other danger in the same war?—Yes, exactly. That is why I said that there is no need for patting it down

27251. I see you insist upon Indians who get into the Indian Civil Service passing the race examination, having the same papers, and the same everything ?-Yes.

27252. Is that because you insist that Indiana who get into the Indian Civil Service should be a and ger into the instant or property service energy terms as forting of absolute equality with the linglish members?—Yes. I think that there should be a fair field. There should be the open do r. really. and putting them on the same level.

27253. If Indians were premoted exclusively, or almost exclusively, from the Provincial Civil Service to the Indian Cail Service, and placel . the same level as suggested by See Valentina ("his ) do you think they would be regarded as the e-pul of the English members of the Service's -I think is all men came in on that line, at once the polds would say, "Those are the Indians, and those as the Europeans" But, extendly, if some get me exactly like Europeans it would be a good though

27254. You would want them to come in an the same way as the English 2-That must be

natural. There should be no metal bar

27255. If members come exclusively or alm. exclusively, from the Provinced Service, do you not think there would be something in their previous official upbringing which might in libraagainst their asserting their equality with lings 'smen ?- I think the exclusion of Provinced Savi men would be a great mi-take.

27256. You mentioned an alternative selection

suggested by Mr. Nattajan ?-Yes, 27257. Will you tell us briefly what that scheme is, because I have not seen it '-I only over it quite recently. It comes really to the that 'd. 1. Graduates of the Indian Universities who have a a certain amount of resonmendate in a startheir general character, and so on, from the Principal of their Colleges, and who have git a proportraining, might then pres in from that exponents . quite spart from the Indian Civil Serviceone; and out of those that pass Government midt nominate same

27258. Government mominates in the collect am not quite sure that Coremment to me declar it is a system by which at the end I we . in

27259. Is it open computational the cidi-Yes, I believe so. On general level the ciding

was a good alternative. I thank the alternative of 27260, (Mr. Clafal) la aboverto port a (2), I see you adverte the I white up of the scale of marks as regards Smalter and Analis and Greek and Latin. I supposely a meeting at other as to how the level for updaily artists at — it. . by raising Sanskrit or J Arabert etherance condiof marks as time band Larmor by being a gid was the marks for the latter! I will note:

Grah and Latin broaded I was an I Section 1 Andreniela latte. I well prier tiat, e. a. Armster First a made of a decomposite many of all do not heli way strate si wang mit. 27:81. What yes want is that they shall be on the same hate!—I tumb it one!! I man

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good thing, but I do not hold strong views

You do not strongly hold the view that the levelling up must necessarily be by raising Sanskrit and Arabie, it may equally be

done by lowering Latin and Greek?—Yes.

27263. Some questions have been put to
you with regard to eranmers' institutions
starting up in India?—Yes.

27264. Do you know if crammers' institutions in England are patronized by Indians, or do Englishmen go to these institutions?—I have already said that I do not know much about cramming institutions. I have heard most about them from Army Officers who have gone to exammers, so that it must be Englishmen.

27265. I mean Englishmen who have come in as Indian Civil Servants?—I suppose they go to such institutions, but I have never asked

27266. I am under the impression that they do go; but I wanted to know from you whether when the Indian Civil Servant comes out here the public find any traces of the evils of his having studied at a crammer's institution. you find from your experience of Indian Civil Screents, efficient servants of the Government, that they disclose any of the evils of having studied in the crammers' institutions in the past ?-No.

27267. I ask you that because I have heard some Englishmen say that they profited immensely from their education at crammers. Do you think it is easy to start a crammer's institution like those in England?—It would be a tremendous

It is a work which would cost an immense amount of money in order to be able to get the same sort of teachers and lecturers as they have at crammers' institutions at Home?-Yes. it would be a very big business.

You have been asked about the policy or the difficulty of posting Indian Civil Service men from different communities?—Yes.

27270. Is it not the policy, generally, of Government to appoint a Bombay man to some other Presidency, and the man who belonged to that ther Presidency to some other district?—You said "communities".

27271. The question was put to you whether if a person of one community became an Indian Civil Servant persons of other communities would not object. It is with reference to that that I ask you whether the present policy, more or less, is not that you generally do not post men from the same Presidency !- Naturally, because you want an independent m

27272. With regard to the fear which I find is very generally entertained about the larger number of Indians, the proportion you are contem-plating of 10 or 20 per cent, disturbing the British tone of the administration, you say that

out of 1,294 Civil Servants there are at present only fifty eix Indians?—Yes. 27273. Can anybody find out that the British tone of the administration has been in the slightest

degree injuriously affected by the admission of those fifty-six people?—No.

27274. Do you suppose that if those fifty-six men were to rise to one hundred there would be a chance of their injuriously affecting the British tone of the administration?—None whatever, even if the number were a hundred and fifty

27275. As regards this question of the larger employment of Indians in the Service, you were asked whether your community supports the demand by the Indian public for a larger employment. Am I right in supposing that the interests of your community, in this general question of the larger employment of Indians, are identical with those of all the other communities in India?-By "my community," do you mean Mussalmans, or my own community.

27276. I mean Muhammadana as a body ?-All the Muhammadans I have spoken to are in favour of simultaneous examinations with the exception of one Government officer. All the others are in

favour of it.

27277. The question is one of such general interest that it does not affect any particular sect or community. The question of the larger employment of Indians in the higher Services is of equal interest to all communities?-Yes, I think so.

You were asked by Mr. Madge about 27278. the interests of the ignorant millions and the interests of the infinitesimally small educated

portion of the Indian public?-Yes.

27279. Can you understand in what sense the interests of the small educated portion of the Indian public are in conflict with the interests of

the ignorant millions?-No, I cannot.

27280. Can you conceive of any direction in which they might be?-I cannot conceive it in this vague way. I can conceive the interests of two individuals of any race being opposed, but I cannot conceive of it in this vague way.

27281. With regard to the larger salaries which you recommend for the Provincial Civil Service in your written answers, you were asked as to whether it would not do if there was a house allowance made for residence in towns. I suppose you are aware that the general body of Government servants in the Provincial Service, although they are themselves serving in the muffassal and net in big towns, still generally have to keep a residence in town for the education of their children. It was suggested to you that instead of increasing the salaries all round as regards these Provincial Civil Servants, it would do it you gave a house allowance to such of the Provincial Servants as resided in towns. That, I think, was put to you by Mr. Madge. I am putling this question to you, whether it is not a fact that in your experience the majority of the Civil Servants, although they are not serving in towns but in talukas, have more or less all of them residences in the nearest district towns for the pose of educating their children?—That is so.

27282. And therefore, although they are living in the muffassal, the increase in the amenities of life, and the increase in the cost of living, affect these servants, notwithstanding the fact that they are not residing in towns?— I think in some cases it does. A man must be of a certain age, and advanced to a certain position in the Service, by the time he has the

personn in see earlies of the time in this time in the last of the in the case of persons who may not themselves be serving in a district town?—Yes, I think there might be a slight riss. If he is living in a town he has to entertain, and it is much more necessary.

27284. What I wish to point out is that it must not be considered unnecessary simply on His Highness the Aga KHAY.

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the ground that a man bimself is not living in a town?-No, that is not the only reason for considering it.

27285. (Mr. Madge.) I should like to say that the suggestion attributed to me was not attributed by me: I was in favour of both increases.

27286. (Sir Theodore Morison.) I should like to have your recommendation with regard to Persian made clear. I think you suggested that it should be in the open competition examination before probation?—Yes, before probation.

27287. You agree with the suggestion of Mr. Macdonald that for Englishmen it might be advantageous that they should study Persian during probation?—Yes.
27288. And that therefore for them it was

not particularly important that it should be in

the open competition?—Yes.
27289. There still remains the question of Indian competitors, does there not?-Yes.

27290. Do I understand that you recommend the introduction of Persian on the ground that it would help Indians, or because Persian contains a literature, as old, as rich, and as good a vehicle of culture as, we will say, Italian? Which of those two is it? Is it on the ground that Persian on its merits is as rich a vehicle of culture as Italian, or is it because Indians know it?-It is on account of its wealth as a language and its historical traditions; and, to a great extent, it would be of great assistance to a Hindu who went into the Service afterwards.

27291. It was agreed to leave that sort of consideration out of the question in talking to Mr. Macdonald, because if a man fails to get in we do not want him to get into a end de sue: the thing

is to be on the ground of general education?—Yes, 27292. And as a vehicle of general education, Persian is, in your opinion, fit to stand on a level

with Italian?-Yes, I think so, 27293. Therefore it would be differentiated from the Indian Vernaculars which have not such a rich literature?-Exactly.

27294. It is upon its merits as a cultivated

language ?-Yes.

27295. And if its modern literature does not compare with French and German, it may at least compare with Italian?-Yes.

27296. Arising out of your answers to your written questions, and what has been said around this table, I understand you desire that the Civil Service should remain for some time to come predominantly English?—Yes.

27297. You think it would be a good policy if a certain number of Indians could be advanced to very high posts in the Civil Service ?-Yes.

27298. Do 1 understand that that is the policy which you have mainly in view in your recommendation ?-Yes.

27299. If so, are simultaneous examinations the best way of attaining that end? I will put it in another way. Supposing we could devise a scheme which will attain that parricular e ad rather more sarely than simultaneous examinations, would you prefer it? If it got a small manaber of would you prefer to 1 A to got a such manager of Indians into the higher posts rather than a larger number of Indians without any security that they would rise higher, your simultaneous examinations do not seem to me to offer any guarantes, or any likelihood, of Indians attaining these posts which you have indicated you would like then to attain ?-If you could devise a better means ]

should be in favour of it.

27300. Is it that you want simultan,one examination as some witnesses have said as helper good per se, or do you advecate it so as to attim a definite policy, which is that some Indians should rise to very high posts?—I advecate it as a means of arriving at that policy. I think it is a very simple and a very direct way, and it would leave no bitterness afterwards. It will not be like nomination. It will not leave any hittern so afterwards.

27301. My own doubt is whether it will tain that end. With regard to the answer attain that end. which you gave to Mr. Gokhale, you said that the Mussalmans you have spoken to have been in favour, generally, of simultaneous examination !-Yes.

27302. Have they generally added a reservation or rider to the effect that they would like a certain number of posts reserved for Mulium-malans?-Those I have spoken to at Lucknow said that they were in favour of simultaneous examinations. They wanted an open door and no favour.

27303. They do not want any posts reserved? -No; with the exception of the one Government official in Bombay which I mentioned. With that single exception they all said that so far a the Indian Civil Service is concerned they dol not want any reservation. I was doubtful invest, to a great extent, upon that point, and it was more for my own personal satisfaction that I asked the question.

You found that that opinion was 27301. general?-Yes, the opinion was general among ;

themselves. 27305. Were they the younger members where the younger members are also as a mixture. Many noll arous, overe they the younger memors of the community?—A mixture, Many noll probably be witnesses before the Currai ion, but I do not know. I was at Lucinow at the time.

27306. I understand that your objection to the present system of communation is that the Brighish door is a hand cup to the Indian, that it puts the Indian at a disadvantage?—I do not say that that is my chief recome. It puts thus deserving Indians at a dist transage, my poor men of respectability with sons. There are one people that Englishmen lost most with, and they are just the people who avoid officiers, They are not of the pauperized let, people who would object to talang elective

27807 At the same weight the Englishmen would generally heat the Indian, and therefore there is no advantage in hardings of the Indian?-Exactly. That is wird it on

27808. Do you not think that if you won to retain Englishmen in the Service core cort of handleap will event adle by not say, because it will always be pleasured to their teatre he own country than any famous country belt is not necessary.

not measury. 27702. It is not not contribute to Englishmen to protect bins in for contribute which it, bonuse they will be so list outtrained for the Indian to go and one in Whit last. If you are going to get an Englishmen to sittle out own country, early in the you will have to give some on a printental advantage, otherwise be is sure to be costed by the period to whom he is a mathegrader after their core people will employ bell there was any date :

68

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of his being ousted I would reserve at once so

many appointments for him. 27310. Are you going to give him any kind of preferential treatment; is there anything less invidious than at present?-We do not want to

give him any kind of preferential treatment.

27311. You must either help him to get in,
or give him better pay?—I have advocated a
general rise of pay in all cities. I think Secretaries to Government, and so on, should have a rise in pay to begin with. Those who get in would not get these appointments for another 25 years; and so for 25 years it would be Englishmen alone who would benefit by an increase of pay. Any increase of pay in the

mercase of pay. Any increase of pay in the higher posts would benefit Englishmen, and I titude it is right that it should be so. 27812. (Lord Resaldshap). When you were asked what your opinion would be with regard to reducing the age limit for the examination, I think you said it would be no use bringing out boys to

this country ?- Yes.

vans conney :-- res, 27313. I should like to know what you mean more definitely. Woold you consider a person of the age of 21 or 22 to be a boy ?-- I think that a person of 21 or 22 would have no experience; and to be left in a district is a great responsibility at rather a too early period of his life.

Were there any complaints on that score when the members of the Indian Civil Service did come out to this country at that age?-That was a good deal before my time. I think now that the people here are used to more developed men these young people would not carry the same weight as men of more advanced age.

27815. But do you not think, perhaps, that would ome out with an open mind, and that he would ome out with an open mind, and that he would find it easier to adapt himself to the conditions out here than a man of 24 or 25?—No; I

prefer 25.

27316. After your answers to Sir Valentine Chirol, I am not quite clear in my mind whether you think scholastic examination is the best method or not of testing the capacity of an Indian for administrative work?—I do not know an alternative.

27317. The alternative is selecting men of tried merit and ability from the Provincial Service; and I rather gathered from what you said to Sir Valentine Chirol that you thought of those two methods that of seeing men work in the Provincial Service, and testing their work there, was more likely to prove satisfactory than a mere scholastic examination?—That is to a great extent so. you limit it to that, I fear there would be an you mividious distinction, and you would put up a partition between the two races, which would lead to the needless racial irritation of colour har in the life of the country. It is for this reason that I think the other door should also be left open. Of course I should prefer guarantees if there were need for thom

27318. Of course I am assuming that the English door would be left open. Even if you promoted men from the Provincial Civil Service, promotes men non east around a stoler, and it you were to institute a system of scholer, ships, I do not necessarily say subclarships at the school-boy age, but, possibly, sobolarships at the University age, which would give Indians greater facilities for passing the examination in England, would not those two avenues into the Civil Service prove satisfactory from an Indian point of

view ?—I am bitterly opposed to all scholarships. It is not the business of Government to help individuals. It is the business of parents. I ambitterly opposed to anything which panperises

27319. You are opposed to a scheme of scholarships on principle?—Yes. It is not a charitable organisation at all. I am an individualist who regards that with great opposition. On principle I would not consider scholarships. bitterly resent that peasants and the ryots should be taxed for the children of people who live in town, and that those who have influence with officials should get advantages. I bitterly resent

any scholarships of that sort. If anybody wants to help them, let him do it out of his own pocket, 27320. With regard to Indians being eligible for higher posts in the Service, such as Lieutenent-Governorships, and so on, if you had the appointments of Lieutenant-Governorships at the present time, are there any Indians whom you would appoint !- I am sorry I have not got the

appointment of them,

27321. I know you have not. I am asking you on the assumption that you had?—When you you on an assumption one you had !- when you take the social question as well I should not at present know. Take Bengal. He would have to entertain and so on. As a social question I would not know.

We have to recognise, however unwillingly, that there is a certain amount, of antagonism between the two communities in India, the Muhammadans and the Hindus. The question I want to sek you is this. Do you anticipate that there might be in any parts of the country administrative difficulties arising out of a Hindu being posted to a position of authority over a population which was largely Muhammadan?— That has existed now under the present rules for fifty years. It is not as if you were introducing a new principle

27323, Under the present system does it often happen that you have a Hindu to rule over: a Muhmamadan population, and vice vered? -It has been so. Take the case of a Collector: with three Collectors around who are Englishmen. One is a Hindu and the other is a Muhmamadan. The very fact that three were around him and were-Englishmen, and were able to keep their places in

order, would keep him in check? 27324. I quite admit that; but that is under the present system when there are a very small number of Indians in the higher posts. I am asking on the assumption that if simultaneous

examination were established the proportion of Indians must become greater?—I am opposed to anything that would increase it; and I do not advocate guarantees, because there is no need of

guarantees at present.

27325. (Mr. Heaton.) Supposing we had simultaneous examinations, do you think that those who passed in India would stand any lower in general reputation than those who went to general reputation than those who went to England and passed there?—I think unless they were sent away for two or three years, they would probably: that is, if they had not had the opportunity of living in Europe. 27326. The mere passing

27326. The more passing of the same examination, if they passed in India, would not of the same put them on quite the same level in the opinion of the public of India?—Not unless they had experience afterwards. The some European experience afterwards. expense should come out of their own pockets.

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To a great extent they would have a position by that time. They would have a stake in the country, and they could borrow, and do other things on their prospects, through Insurance Companies.

27827. Have you considered at all what subjects you would advocate as compulsory subjects, supposing we had simultaneous emaninations: perhaps you have not thought of that?— No, I have not.

27838. (Mr. Jogitker.) In answer to question (54) you have said—"I do not think that the Muhammednas era adequately represented in the Provincial Civil Service." To what branch do you refer, to the Executive or the Judgicial kanch?—"To both.

27329. On what principle is the statement that they are not adequately represented based ?— Look at Sind; look at Rastern Bengal!

27380. What is the principle?-Population,

27831. (Ser Falestine Chirch.) I do not quite understand a reply you gave to Mr. Chashal. Did I urderstand you to say that you think it is quite impossible that the opinions and cleans of the small educated does in India would ever be in conflict with any other community, or with the masses of the opposition F-I linguish arise when a portion of the educated community would have cleas interests against a section of the masses.

27332. (Mr. Chaubal.) My question was from the point of view of administration?—I cannot conceive it from the point of view of administration.

27833. (Sir Felestine Chirol.) I presume you have modified your view since, as President of the Madein. League, you sanctioned very stong representations to be made with regard to the complete insidence of the representation of Muhammadans in the administration 7—But that was as far as legislation is concerned, and as fir as the lower branches are concerned. In the Provincial Civil Service it stongly build it, and I still hold it. It is only with regard to the Ladion Civil Service, where there is at present no such guarantee, that I think that we need not bother about it. But as regards the Provincial Civil Service, I stongly believe to the present day the there ought to be.

27324. The representation of the Moslem League never dealt with the representation of the Muhammadan element of the Civil Service?— No, never. I do not think so, because the Civil Service was not at that time, even three or four

years age, under discussion.

27835. There was quito as much discussion with regard to the Indian Civil Service as there was with regard to the Provincial Service?—But the Provincial Civil Service was always in a state of change and flux.

(The witness withdrew.)

## LALUBEAT SAMALDAS MEHTA, Esq., Merchant and Banker.

Written answers relating to the Indian Civil Service.

27336 (1). What is your experience of the working of the present system of recruitment by open competitive examination in Ragland for the Indian Civil Service? Do you accept it as generally assistancy in principle?—From the experience I have of Civilians, mostly of senior men in the Excentive and Secretaria branches, I am, of opinion that the present system of recruitment by open competitive examination gives , the country intelligent, hardworking, conscientious officers. The system is astinatory in principle so far as the recruitment of English Civilians to the Excentive branch is concerned.

27337 (2). In what respects, if any, do you find the present system faulty in detail, and what alternations would you suggest ?—The system does not provide for legal training and gives undue preference to certain subjects over other capually important ones. [Vide reply to (16).]

27338 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-bern subjects of His Majesty? If not, what alteration do you recommend?—As a system of competitive examination it is equally suitable to Natives of India as to other natura-born at the physics of His Majesty. Tozimar young men are handicapped by the examination is being held in England.

27339 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Pee. (a) The field of recruitment is much larger on account of the combination. (b) The standard of the Indian Civil Service examination is automatically kept as high as that of the others. (c) The examination being held by the Civil Service Commissioners there can be no shade of doubt as to the fuirness and impartiality of the results.

27340 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty ?-I approve of simultaneous examina-tions in England and India, it being clearly understood that the examinations will be identical. I do not approve of these examinations being open to citizens of the self-governing colonies and those Crown colonies for whose Civil Service Indians are not allowed to compete. It is not unfair to close the door of the Indian Civil Service to those who would close theirs to Civil Service to those who would close teners to us. There is, however, another reason of a practical character why people from the self-governing colonies and specially from South Africa should be debarred from uppearing to the Lodian Civil Service examination. Owing to the institution of the Rhodes Scholarships a proportionately large number of young men from the colonies study at Oxford and will in the natural course of events appear for the Indian Civil Service. These young men will ave naturally imbibed the idea so diffused in their surroundings that the Indians belong to a lower civilization and that racially they are much inferior to them and that it would be derogatory to their self-respect to have any contact with

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these people. Indians can hardly expect sympathetic—much less an equal —treatment from

thom. 27841 (7). What would be your opinion with regard to filling a fixed proportion of the vacanties in the Indian Civil Service earls by Natires of India, recruited by means of a separate examination in India, or by means of a separate examination is neach province or group of provinces in India? If you favour such a cheen, what proportion do you recommend?—I am in favour of a simultaneous examination and not of a separate examination either for the whole country or for the provinces to fill in a fixed proportion of vacanties in the Indian Civil

Service 27342 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and nomination, (b) examination or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? so, how would you give effect to this principle ?-I am not in favour of any of the methods of admission in the Indian Civil Service, of Natives of India, suggested in the interrogatory. I do not think it advisable to introduce the question of representation of classes or communities in a matter where efficiency of administration should be the only end kept in view. Moreover, if the latest figures of the Indians in the Indian Civil Service—a statement of which I append here-with\*—were examined it would be found that there is no danger of over-representation of

certain classes or communities.

273-54 (10). Would, you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed poets officers of the Provincial Givil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Givil Service?—The simultaneous examinations should be in lieu of, and not supplementary to, the present system of promoting officers of the Provincial Givil Service to the listed posts. Most of the listed posts about be given back to the Indian Givil Service to the India Civil Service. A flow—not more than 10 per cent. of the Collectorships—may be kept poen for the Provincial Service. Government will be able to reward long maritonious services of the between the the Provincial Service.

2734 (1). Do you recommend any separate method of recruitment for the Judicial branch of the Indian (Nril Service) If 80, please describe the system which you would propose?—Yes, but not for the whole Judicial Service, I would reserve about half the Judicial posts to the members of the Indian Civil Service who have got special legal taining. Out of the other

half I would throw open 30 per cant to Indian penatising lawyers. At present no LLB, or High Court pleader is appointed to a subordinate Judgeship nucles he has three years' precise or has served for that period in a qualifying post. As the higher Judicial Service requires more legal knowledge as well as a greatet knowledge of men, such lawyers only as have practised at the High Court or set on the recommendation of the High Court. The recommendation of the High Court. The remaining 20 per cent, should be filled by promotion from the subordinate Judicial Service.

27345 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition should be extended so as to include subjects of Native States and children of Natives of India born outside India. The Provincial Service is open to them and there is no reason why the Indian Civil Service should not also be open to them. The fact that some of the Native States are closing their service to those who are not their subjects or who have not studied at their colleges should not be urged as a reason for not amending the definition as suggested above, as a vast majority of Native Chiefs keep the door of service in their States open to all Indians.

27345 (13). If the system of recruitment by open competitive examination in England is retained, state tho age limits that you recommend for candidates at such examination, giving your reasons 2—The present age limit has worked satisfactority, and I do not see the necessity of

making any atteration in it.

27597 (14). What in your opinion is the
most suitable age at which junior civilians
recruited in England should commence their
official cities in India 2—2 believe twentyfive is a suitable age at which junior civilians
recruited in England should commence their
official cities here.

27543 (16). What age limits for the open competitive cammination in England would best still candidates who are Natives of India, and for what reasons? De your recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty 7—Tha present age limit will suit candidates who are Natives of India; and no differentiation of their age limit and that of other natural-born subjects of 'His Majesty is necessary.

27349 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Indian History should be added to the number of subjects prescribed for the authorise.

<sup>\*</sup> Picaso see page 73.

Icontinued.

Latin should be reduced and made equal to those of Sanskrit and Arabic. I wouldadd the Land Revenue System in the final examination.

27350 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are "Natives of India" and other candidates?—No.

27351 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

—Yes, All posts now reserved for the Civil — 108. An posse now eserved for the Util Service, with the portion of the listed page, given back to the service [vide reply to (10)] minus half the posts in the Judicial Service [vide reply to (11)] should be reserved by statute for the Indian Util Service.

27852 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? It so, to what proportion of the posts included in the Indian Civil portion of the posts included at the francis UVIII Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I do not think that for years to come after the institution of the simultaneous examinations the number of the Natives of India. entoring the Indian Civil Service will be so large as to raise the question as one requiring imme-diate solution. When the number of Indians duate solution. When the number of Indians entering the Service goes up to 40 per cent. the question of fixing a minimum of European Civiprogress made by the country during that period.
If, however, the simultaneous examination is not likely to be introduced, unless some minimum is

fixed now, I would fix it at one-half. 27853 (20). Do you accept as generally satis-factory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examina-tion in England, and partly by special arrange-ment in India? - No.

27374 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you

recommend ?-No.

27355 (24). What is your opinion of the system by which certain posts, ordinarily held eystem by which certain posts, ordinarily held by momiters of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not approve of it as I am in favour of a simultaneous

examination.

27356 (25). Are you satisfied with the present rule which prescribes that Natives of India, rule which prescribes that Naiives of India, other thea members of the Provincial Giril Service or Statatory Givilians, may be appointed to one quarter of the listed posts?—I have advocated direct recritiment in the case of a portion of the Judicial Service and so far as posts of the province of the State of the Sta these posts are concerned I approve of the principle underlying the present rule, prescribing that Natives of India other than the members of the Provincial Service or Statutory Service may be appointed to the listed posts,

27357 (27). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes, and why ?-If neither simultaneous examination nor separate judiciary service for half of the posts is to be granted, I would increase for the present the number of the listed posts so as to include (a) one Divisional Commissioner, (b) one Secretary to Government, (c) one Under-Secretary to Government, (d) onethird of the Collectors and District Judges, (c) Tálukdári Settlement Officer, (f) Registrar, Cooperative Credit Societies, (g) one-half of Assist-ant Collectors and Assistant Judges.

27358 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If it is decided not to hold the simultaneous examination for the Indian Civil Service in India, I recommend that a large number of scholarships (say 15) tenable for three years should be instituted so as to enable the best graduates of our Universities to proceed to England to study for the Indian Civil Service examination.

27859 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service ?-Yes.

27360 (30). If so, how long, in your opinion should this period be, and what course of study should be prescribed for the probationers?— Two years—the same course of study.

27361 (31). Do you consider that any differenfor probationers who are Natives of India and the course prescribed for other natural-born

subjects of His Majesty ?-No.

27362 (32). He you consider that the proba-tioners' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His India and of other naturations subjects or in-Majesty—Both Natives of India and other natural-born subjects of His Majesty, whether they have passed the examination in India or the Bragland, should undergo a probationers' course of instruction in England in a training institution, which should be of a residential character. By this arrangement men who have passed in India will come in constant contact with their future colleagues and will also get inoculated with the principles of British Administration on which the Government of this country should, as we are all agreed, be carried on. The English members of the Service will come in constant contact with their Indian compeers and a brotherly feeling is likely to grow between them which will spread in other directions.

27863 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?-

27364 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the

Continued

Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied ?-Speaking from my experience of some of the junior Civilians I do not think that there has been any deterioration worth speaking of.

27365 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent,

and of unmixed European descent ?- No. 27366 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or to restricted to future entrants?-Exchange compensation

should be abolished for future entrants only. 27867 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of similar interests the service who now draw no exchange com-pensation allowance?—I do not recommend any compensation in the form of increased salaries for the abolition of the exchange compensation

allowance. 27368 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Oivil Services holding listed rosts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not what cates do you suggest for the various grades of the service?—Officers doing the same kind of work with equal powers should receive the some salaries. Giving two-thirds salary to the Statutory Civilian marks him down as a lower class of officer. His recommendations may not carry

the same weight as those of the officers belonging to the Indian Civil Service, and ultimate this arrangement leads to dissatisfaction and even to inefficient work. I therefore do not approve of the present arrangement.

#### Written auswers relating to the Provincial Civil Service.

27369 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?-Although the men nominated till now in the Provincial Civil Bervice have on the whole given satisfaction I would combine nomination and competition for the recruitment of the service in the future as is done in the case of the recruitment in the Finance Department.

27570 (58). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

27371 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—Yes.

27372 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?-I would take away from the Mamlatdars the Judicial powers they possess and give them to the Subordinate Judges.

27973 (58). Are you satisfied with the present designation "the Previncial Civil Service"?

-Yes

27374 (60). Are the existing rates of pay and rading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend ?-Yes.

3rd March 1913.]

## Mr. Lalubhai Samaldas Mehta,

[continued.

# Statement referred to in the answer to question 27342.

Names of the Civilians in the various Presidencies and the communities to which they held

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.3rd March 1913.1

Mr. LALUBHAI SAMALDAS MEHTA.

feontinued.

# Mr. LALUBHAI SAMALDAS MEHRA, called and examined.

27375. (Chairman.) You are an Additional Member of the Bombay Legislative Council ?-

27376. To what caste do you belong?-I am a Nagar Brahmin,

27377. I believe you are in favour of simul-

taneous examinations?-Yes. 27378. You do not think that a minimum proportion of Europeans should be fixed?-No; because I do not think that it is necessary to do

so at present.
27379. If a minimum must be fixed you would make it one-half?—Yes.

27880. You would have an identical examination and a common list ?-- Yes,

27381. If the number of Indians who were successful came to exceed the limit you are prepared to impose, would not difficulty be experienced in passing over some of them ?-If such an occasion

arose the arrangement can be altered by regulations. We do not fix any proportion for the present. I have said here that I do not think the proportion axe state are tens 1 do not think the proportion will be rached for one generation, at least, say, for treatly-free or thirty years. When that time-limit is likely to be reached possibly there will be another Royal Commission. But the Government of India, by orders of the Secretary of State, may say, "Now we fix the limit of Indians, at this percentage." I do not think it will lead to any discriptation. to any dissatisfaction.

27382. Would you retain a preponderance of Europeans in the administration?—Theoretically,

yes; but not by statute.

27383. Practically, are you in favour of it?-Practically we will always have it, but not by -statute.

Assuming you allowed up to one half, 27384.do you think there would be any danger that would be discouraged the best type of Englishmen from coming out to this country to take part in the administration? I would not hazard au opinion now upon that matter. When I sent in my replies, I thought that within the period of twenty-five or thirty years the Indians who entered the Civil Service will be imbued with British principles of administration, and that it would not be difficult for Englishmen to come and work with them, even if the number of posts is reduced to one-half.

27385. What would be your objections to the alternative scheme of a separate examination which has been put before us by some witnesses?—In the first place we want "a fair field and no favour," as His Highness the Aga Khan said. We want the same open door that the Englishmen have.

27386. Cannot you conceive of a separate examination which would offer a fair field?—It will always have the stigma of interiority.

27387. Supposing that examination were of the same standard and stiffness as the simultaneous examination?—Then, why not have the simultane-ous examination? I would have the same examination. As soon as there is a separate examination, even if the standard is kept the same in the beginning, there is a danger that it may be lowered later on

27383. In your answer to question (10) you propose to keep open for the Provincial Civil Service 10 per cent, of the Collectorships?—Tes.

27359. And in your answer to question (24) you say that you are opposed to the listel-posts

system as you are in favour of simultaneous ex-amination?—I will explain. On principle I would have all the listed-posts go back to the Indian Civil Service. But there may be rare instances where the Deputy Collectors in the Provincial Service have done such a good work that Government might desire to reward their services by giving them some higher posts. For that I would reserve two Collectorships if the Government thought they would like to reward the services of a Deputy Collector; but not by right. 27390. It would be the same system as at

present, only you would limit the number?-At present we expect two Collectors to be Indians by right, hereafter we will not expect them to be Indians from the Provincial Service unless Government thinks it necessary to have them.

27391. You would allow of selection to these posts from outside the Provincial Service as well ?-It would be restricted to the Provincial Service. But selection would be made by Goverament if they think it is necessary to do so.

27392. Your proposal is somewhat different?— There is a difference. We as a class expect two

Collectorships to go to Indians.

27893. Not by seniority?—We expect them as a right. The Government may under my proposals have Indians of they like.

27394. You suggest that they may be Englishmen or Indians?—Yes.
27395. They must come from the Provincial Service?-I have said it may be kept open. The Government may have the right to appoint one

Overtaining may have see right to appear one man to a Collectorship.

27396. You recommend that 50 per cent. of the posts of District Judges should be filled by Indian Civil Service Officers ?- Yes,

27397. How many years' probation do you suggest?—I have not studied that point. I would not give a scheme. I have nothing to do with law.

27898. Generally speaking, you recognize that the Magisterial experience of the Indian Civil Service Officer is a valuable qualification for service in the Judicial branch? -Yes, in a way it is; but we want something more than that.

27399. You want, added to that, sound training in Civil Law?—Yes.

27400. But I assume from the fact that you offer 50 per cent of the posts to the Indian Civil Service that you recognize that the particular training which they now undergo for a number of years is a fitting one?-It would be a fitting one,

but it is not a necessary one.
27401. You have no objection to it?-Not

in the least. 27402. You suggest a certain amount of reernitment from the Bar for the Judicial Service ?-

27403. Do you think that a good class of Barrister would be found who would be willing to Barrister Wolne to rotate who would be winning to leave his practice and take up these posts ?—I have not said Barristers, I have said at present "practising lawyers." I had chiefly in mind University men, -LLB's, 27404. You would not then take men from

medice at the Bar, but from the Universities?—I had University men in mind. If there is a competent man at the Bar who will agree to go, he may be taken.

[continued.

Srd March 1913.1

. 76

27405. Do you think many competent men would be found to leave their career at the Bar and to accept the post of a District Judge ?-I think so.

You recommend that candidates re-27406. cruited in England and India should have two years' probation at a residential Institution in England ?-Yes.

Would this be one of the Univer-27407. sities ?-I should like them to be at a University,

if possible.
27408. You suggest that for the Provincial Civil Service there should be an examination?-Yes. 27409. Why do you suggest an examination when you say that the recruits so far have been wholly satisfactory?—The recruits so far have

heen satisfactory, but they may not be satisfactory later on. You think it would ensure a better

27410. stamp of men? - Equally good, if not better. 27411. You would have nomination followed

by examination?-Yes; that is what I have said. 27412. In your answer to question (57) you say you would take away from the Mamlatdans the Judicial powers which they possess and give them to Subordinate Judges?—Yes.

27413. Would you tell us what powers you mean?—Magisterial powers.

27414. You would leave them Revenue and

Executive powers ?-Yes. And hand over their Judicial powers

to the Subordinate Judges?-Yes.

27416. You are satisfied generally with the present salaries of the Provincial Civil Service

officers ?—Yes. 27417. You You do not think there are any grades in the service from which there are complaints?—I

have not heard of any. 27418. We have heard a good deal of

evidence to the contrary ?-I have not. 27419. (Lord Ronaldshay.) How do think the public opinion of the educated classes in India would regard the proposal to place a limit upon the number of Indians who might enter the Indian Civil Service through the English door?— So long as the number of Indians entering through the English door is limited to only 5 to 6 per cent. as at present we would not object to fixing the

limit at 50 per cent. for the future. 27420. Do you not think that any such proposal would be very properly and very strongly objected to by educated people in India?—If the attempt is made later on, when the maximum I have put is reached, it may be objected to. I have therefore suggested that such a limit might be fixed now,

27421. At any time?-I do not think it would be objected to now. It might be later on: We will not then require more posts: but will be sfied with the number we have then got-

27422. Is not this entry into the Indian Civil Service by means of competitive examination in England regarded as a right by Indians?-Yes.

logiand regarded as a right of indians e-res. 27423. And if it is proposed to certail that right, do you not think that a very strong sight into would probably arise?—If simultaneous examination is not likely to be introduced unless a minimum is fixed for Europeans. I would go in for a minimum and fix it now. If the alternative is "Richer do without transference accomplishing and without transference accomplishing and the contraction of the contr is "Rither do without simultaneous examinations or have simultaneous examinations with a mini-mum for Europears," I would fix the minimum

27424. I understand that you do appreciate the fact that it would be difficult, after you have once given the people of this country the right of entering the Indian Civil Service through open competition whether in England or in India, to come down at any fature time and say, "We must put a limit upon the number of Indians who are entitled to get into the service by this means."?—It depends upon the progress of the country at that time. I do not know what Indians in thirty years' time will think,

27425. However, it is probable that they would object ?- That is why I suggest a com-

promise now,

27426. With regard to your proposals for recruitment into the Judicial Service, do you think that men who were recruited from the Bar would make a different type of Judge from the men who were recruited from the Indian Civil Service?— I do not think so. If the Indian Civil Service men have a legal training both of them will stand upon equal ground.

27427. There will be practically no difference

between them?-I should think not. 27428. (Mr. Gotkale.) Your grandfather was chief minister at Bhavnagar ?- Yes.

27429. And after that your father was chief

minister?—My father was chief minister. 27430. And your elder brother has also been chief minister ?-Yes.

27431. And you yourself were chief Revenue officer and are now a member of Council in that State?—Yes.

27432. So that you may be taken as a representative of what may be called the govern-ing families of this country?—In a Native State.

27433. The opinion has been expressed by some witnesses that representatives of governing races or of governing families would be against any scheme of simultaneous examination. To what extent do you think this view is likely to he held by such representatives?—Our casté, or those whom I know, will be in favour of simultaneous examination.

27434. In your reply to question (27), your have recommended that certain posts should be You say: "If neither simultaneous examination nor separate judiciary service for half of the posts is to be granted, I would increase for the present the number of the listed posts so as to include (a) one Divisional Commissioner, (b) one Secretary to Government, (c) one Under-Secretary to Government, (d) one-third of the Collectors and District Judges, (c) Tkilukdári Settlement Officer, (f) Registrar, Co-operative Credit Societies, (g) one-half of Assistant Collectors and Assistant Judges "?-Yes.

27435. You are aware that the Talukdari listed posts?—Laterly a civilian appointed. Settlement Officer is at present in the list of has been

Your complaint is that latterly the 27436. post has been given to members of the Indian Civil Service though it is listed?—Yes.

27437. The opinion has been expressed that Indian Officers may not do well as Talukdari Settlement Officers. Are you in a position to say anything about that ?—As a matter of fact I know of two Indian Talukdari Settlement Officers who have given satisfaction.

27438. Were they popular with the Talukdars ?-Yes, they were.

27489. With regard to the Registrar of Cooperative Credit Societies, I believe you have special experience of work in connection with these Societies ?-Yes, I had a hand in establishing the Co-operative Central Bauk. I have been working for the organization of Societies in certain places and for promoting the feeling of cooperation all round, and helping the Registrar in some other ways.

27440. Do you think there would be any objection on the part of these Societies to having an Indian Officer placed in charge of this office ?-No.

27441. You are sure about that?—Quite. 27443. You are at present agent of Marsland, Price and Company ?- I am.

27443. You have a number of Europesus

under you?—Yes, about eight.
27444. Do you experience any difficulty in their working under you?—No. They loyally

carry out my instructions.

27446. You bring out good men?—The highest paid man gets Rs. 800. We have B.Sc. men from Cambridge; they are specially trained

27446. They show no feeling against working under you?—Not the least.

27447. (Sir Theodore Morison.) With regard that your answer to question (32), do I understand that you there recommend a special training institution which shall be of a residential character?-Yes.

27448. And you urge that it would be an advantage that they should be brought ap with a feeling of comradeship with each other?—Yes.

27449. We have had this special institution recommended to us before, only it has been pointed out that if you have a special institution the man must be recruited at an early age, that we must get boys at school-leaving age, and send them for two or three years to this special institution. If we were to recommend that course, what do you think ought to be done with regard to the recruitment of Indians; Indians, I presume, would suffer if the age of the competitive examination were

it the age of the compensate examined by the lowered?—Yes. 27480. What course would you recommend?—I would resommend training institutions after

they had passed the examination.

27451. That examination would necessarily he at a lower age, between seventeen and nineteen ? - I do not know why, if they passed their examination at twenty-three they cannot be kept

at the same place during the years of probation. 27452. It has been urged upon us that the advantage of it would be that it would give them special training in Law and create enthance. siasm in Indian subjects, and make them learn an Indian classic well; and that the Englishman and the Indian should be together in one institution. But this cannot be obtained in one year. It was urged upon us as an alternative to University training; and therefore we were told that we must go back to the school-leaving age, and get must go back to the summer and all all and put boys between seventeen and ninetern, and put them into one institution?—If the scheme of giving education after they have passed their Indian Civil Service as suggested by me is not practicable, I would drop that idea, and allow the probationary period to be passed as it is now. 27453. Supposing you thought that for

Indians this was an unsatisfactory solution, you might still be willing to take the opinion of some of our English witnesses that it would be a good

system for the Englishman. If it was desirable for the Englishman, it presumably would not prevent them having that training for the sake of the much smaller proportion of the service who are Indians. Supposing that is recommended for the Englishman, what do you recommend in order to put the Indian upon the same footing so as to give him a fair chance?-Unless we change the University system here, which fixes sixteen as the age for entrance for the Matriculation Examipation, I do not think Indians will have a fair chance of competing.

27454. Can you suggest any recommendation that we should make to recruit the Indian under these altered conditions?-Do I take it that it is with the simultaneous examination in India, or

without?

27455. I should like to hear your opinion of both; and your suggestions in cither case? - If it is simultaneous examination in India we may have to lower the standard of the Indian Civil Service to a certain extent.

27456. It would be competitive?-Competi-

tive, but all round lowering it.

27457. Boys who are three or four years younger than the present caudidates will not know so much, that is clear; but we are going to take care of their training afterwards. The standard will be set by competition, and nothing else?-If it is not by simultaneous examination, I have suggested that a large number of scholarships should be given. These may be given after they have

passed their Intermediate examination. 27458. Would you have an examination in India for a certain number of places?—I would have the same examination open to Indians. 27459. Even at the reduced age, would you

have Iudian boys competing at the same age as English boys?—I would take the chance. 27460. You would take the chance, if you got simultaneous examination, of Iudian boys having to compete when they had only passed their Intermediate examination?—Yes.

27461. (Mr. Chaubal.) It has been suggested to us that young Indian boys should be selected at the ages of 13 and 14 and sent to public schools in England. From what you know of Indian boys, do you think that it is possible to make a proper selection of them at the ages of 13 and 11?-No

it would be practically impossible. 27462. With regard to your answer to question (57), is that an answer which you have given from your experience of the working of the present system under which Mamlatdars exercise judicial powers?-Partly from what I have heard of the working, and partly from my experience in my own State where we have carried on that system of the separation of work between Mamlatdars and Munsifs. It succeeded very well.

dars and Munsus. To succeed that then 27463. I did not know that. It may be interesting. You say you extried it out in your own State?—Yes, in Bhavangar.

27464. Did you introduce the experiment after a system in which revenue officers exercised both a system in which revenue causers extended both powers? Was that system in the State previous to the introduction of separation —It was introduced when Mr. Percival and Mr. Gouristankar Udsahater betame joint administrators. The Manlatda's had no criminal powers of any The Subordinate Judges had all the kind. criminal powers.

27465. You found that the Mamlatdars did not find any difficulty in carrying on their

feontinued.

executive work although they were not vested

with the powers?—No, not at all. 27466. (Mr. Sly.) You have suggested a

European minimum of one-half ?-Yes. 27467. Can you tell us whether you meant

that to be a European minimum of one-half for the Bombay Presidency, or for the whole of India?— I am talking of the Bombay Presidency only.

27468. According to your local knowledge you consider that would be a fair minimum to apply ?-A fair minimum at a very late stage

27469. What do you mean by that ?-I do not expect that minimum to be reached within thirty

27470. Can you suggest to us what would be a suitable minimum at the present time if we have to fix one ?- I would not fix it unless it is absolutely necessary in order to get simultaneous examination

27471. But if it was found absolutely necessary at the present time to fix a minimum ?-I would fix it at 50 because it will not be reached. would not fix it at a lower percentage,
a higher percentage would be impossible. To ask for

You would first fix it at one-half?-27472. Yes

27473. In answer to question (32) you have recommended a special institution at which Indians who pass by the simultaneous examination in India should go and receive European training in England. Is that what I am to understand?-Yes. 27474. Do you wish the Indian candidates also

to receive training at that institution ?-Yes. As one body ?- Yes, if possible

27476. So far as the Judicial branch of the Service is concerned, under your scheme do you wish any of those to go to the same institution ?-

27477. As for the Indian practising lawyers, you suggest that they should hold 30 per cent. You do not consider they would require any train-

ing stall?—No.

27478. In recommending that Mamlatdars should not exercise Magisterial powers, you have made no recommendation with regard to the Sub-Divisional Officers or District Judges at all upon that point?-I have not drawn up a scheme, but I think it would be possible to take the Criminal powers from the Deputy Collectors and give them to the Assistant Judge. 27479. You would like the same scheme extend-

ed to Deputy Collectors and District Magistrates ?-Υe

27480. (Mr. Macdonald.) In your answer to question (30), relating to the syllabus of study for probationers, you say that you are in favour of two 

27481. Cannot you recommend some improvements in the present course of probation study ?-I am not in a position to do so, and I do not feel

myself competent to give an answer.

27482. Really, as a matter of fact, you do not recommend the same course of study. You вау you would prefer not to recommend anything about it?-I think it has worked fairly well. I have had no complaints.

27483. (blr. Madge.) Have you no fear that the introduction of simultaneous examination into this country would re-act upon the existing standard of education, I mean with reference to the fear entertained in many quarters already that the tendency is to prepare for examination rather than

to give real education ?-I think that the idea that the examination would lead to comming is a myth which ought to be exploded. I have no fear whatscever that the introduction of simultaneous examination would lead to mere cramming.

27484. Considering the present state of educa-tion in this country, do you think that simultaneous examinations within any period that we can think of at present would give you men up to the stan-dard of the Indian Civil Service examination?—If they passed the simultaneous examination it will be

for them to prepare for it. 27485. I want to know your opinion as to whether the present state of education in this country is up to the standard of the Indian Civil Service, and would give us men who would pass ?-Principal Paranjpye told you that we can get a few man in the beginning. He is an educationalist, and he knows what he is saying.

27486. What is your opinion?-I agree with

27487. That you would get a sufficient number of men passing?-You would get some men

27488. Have you formed any idea what would be the probable number?—For the first five years I should not expect more than five or six passes for the whole examination every

27489. You want to reduce the number of listed-posts. Do you not think that would have the effect of discounging the Provincial Civil Service, which is very highly spoken of generally?—As regards the Collectors, I have kept two posts at the disposal of the Government. I think that would be quite sufficient for the Provincial Civil Service.

27490. That is not an answer to my question.
My question is whether it would not discourage the Provincial Civil Service ?-No, it would not

27491. Do you propose any revival of the Statutory system? Do you say that the system was had in itself, or that the selections were

unfortunate?-Both.

27492. So far as they were unfortunate, has any method occurred to you of improving the selections?-No, because I do not believe in selections.

27493. In answer to question (58), you think that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs. Would you kindly give us your grounds for that opinion ?-Ordinarily, no man from the other Province would care to come.

It is not on account of individual choice, and not with reference to any feeling in the different Provinces?-No.

27495. Do you think one man from one Province would welcome a man from another Province ?-I think so.

27496. Would you restrict the power of Government to send a good man from one place to Government or such a good man from place to another simply because the individual did not choose to go?—I have said that ordinarily I would not restrict it. I have taken it in that sense.

would you draw 27497. What distinction between ordinarily and generally ?- I say that in special cases Government may appoint,

27498. (Sir Murray Hammick.) I did not catch what your present occupation was ?-

## Mr. Lalubhai Sanaldas Menta.

Merchant and private Banker, doing banking business.

27499. Do you employ several Europeans?— Yes, I am agent of Marsland, Price & Co. It is a Joint Streek Limited Liability Company here. 27500. Are the shareholders mostly Indians?— Half the shareholders are Englishmen, and half

are Indians, 27501. And the Directors?—Four are Indians and two are Englishmen.

and two are Englishmen. 27502. What business do they do?—Constructional Engineers.

structional Engineers.
27503. These Europeans you employ are
mostly Engineers, I suppose?—Yes.
27504. What are they constructing?—We

27504. What are they constructing?—We are specialists in re-inforced concrete.
27505. Have you had much to do with the

University?—I am a Fellow of the University. 27506. You fancy that in the next four or five years, if you started simultaneous examina-

five years, if you started simultaneous examinations, five or six candidates would get in every year?—That would be the most.

27507. Do you think that the man who passes the B.A. now will have a chance of passing it?— The first-class man will have the chance.

27508. Do you think that the man who takes the M.A. would pass the examination?—He would only have one year in which to prepare, because he gets his M.A. at 22, and his chance is restricted to the extent that he will only have now year. We opecialise in the M.A. in one subject in our

University. 27509. He passes his M.A. at what age?—

Twenty-two.

27510. I suppose he can go up much later if he likes. There is no limit of age: a man of forty could go up?—For the Civil Service he will

only have one year.

27511. He can go up for his M.A. at any time?—Yes. Twenty-two is the minimum age.

27512. The M.A. is a special examination in one subject?—Yes.

27513. So that the M.A. examination would not help him at all to pass into the Civil Service, would it?—Not much.

would it?—Mot much.

27514. Therefore, probably, if you had simultaneous examinations in Bombay it would reduce the number of eachdrates very much indeed who went up for the M.A., I suppose?—I do not think so, because just now the B.A. passes also go up for M.A.

27515. Therefore the best men who would naturally in the course of things go up for M.A. would be diverted off from the M.A., and not take the M.A. course in future?—He might go up afterwards.

27516. After they had got into the Civil Service, it is not likely that they would go up for the M.A., is it?—If a man is gifted with great knowledge, he might.

27517. The ordinary experience is that when a man soldles down into professional life he is not likely to continue the course at the University?—Some of them may not.

27618. Therefore, do you not think that the number of candidates who go up for the M.A. will be very much reduced if you start simultaneous examinations 7—Not very much. The B.A. first-dats in the Bonhay University for the past few years have not been more than three or four or so, on the avenue. There would be shout seventyer in the second-dates and they have the date of the past few in the second-dates and they have the second-dates and fifty

in the pass class. If three or four men did not go up for the M.A., it would not reduce the number of candidates, and would not matter anything.

27519. How many candidates would there be for the M.A.? - About sixty.

27520. Out of the sixty do you not think a great many will go up for the simultaneous examination?—It would not be possible for them

to compete, 27521. Would they not prefer to go in for the simultaneous examination rather than go in for the M.A.?—If they know they have no chance

they will not go in for it.

27522. It takes a good deal to make a man
think that he has no chance. Supposing they
have a chance, do you not think that it would
divert them off from the M.A.?—It would be a

bar to their going up.
27523. Would not your first-class B.A. men
go in for the simultaneous examination?—Some

would, 24, And if they did not go in for the simultaneous examination they would naturally go in for the M.A. course at the University?—Some would, and some would go in for the Law course.

27525. Those who go in for the M.A. course would be diverted off and go in for the simultaneous examination?—Some of them would.

2750. Do you not kinkt that the Senats of the University which would lose all these candilutes for the M.A. would have very strong press my plut upon them to aller their M.A. course in order to make it more stable for the simulationous examination ourse?—I do not think s., for the cake of two of three mon.

27527. You think the M.A. conree would continue to specialize on one subject? -i think that it is the tendency of the Senate at present to allow our best men to specialize in one subject.

allow our best men to specialize in one subject, 27528. What I want to ask you is whether you do not think that the institution of simultaneous examination would be a very strong motive for altering that policy?—I do not think so. It

is possible.

27020. The simultaneous examination is on examination in which there is no specialization?—There is general culture. As Ir as I know you have to specialize in one subject in order to get the highest number of marks in one abbject, you example through with two-thirds marks in other subjects.

27550, You have to take up other subjects?—

27530. You have to take up other subjects?-You must specialize in one.

2003. Do you not think that the less condidates in the University would rather go in for the simultaneous examination than go in for repuializing on these courses at your University "—Some of them would, and others would not. It depends upon temperament. Thus who go in for specialization and culture and are ford of one subject, say, Mathematics, or Science, would not go in for the simultaneous examination.

27532. Supposing there were no successful candidates for this simultaneous examination for fire years, do you not think that great discontent would be caused?—No.

27533. You do not think they would nek for the simultaneous examination corriculum to be obtained 2-No.

altered?—No. 27531. You think that the educated youths here would accept the position quite quiety?— 80

Continued.

They would because they will have faith in the

Civil Service Commissioners. 27535. Yes; but do you not think there would be a strong sgitation to have the curriculum altered?—There have been very few passes in the last two or three years, but there has been no

agitation. 27536. Last year six or seven passed, what about the preceding year?—There was only one

man who passed last year. 27537. But the situation would be very different when you had two thousand candidates in India, and only five possed. Do you not think there would be a strong call for an alteration in the system of the examination ?- You take it as an hypothesis that two thousand will go up. I do not believe it.

27538. How many will go up ?-As Principal Paranipye told you on Saturday, about fifty or

27539. You think that from the whole of the students in India only fifty or sixty will go up?— Yes, that is what I think.

27540. I suppose you intend this 30 per cent, of Indian practising lawyers to go into the Civil Service merely to hold Judicial posts?—I want them to hold Judicial posts. 27541. You would not bring them into the Civil Service ?-No, I have not thought about it.

27542. You would preserve 20 per cent. for the Subordinate Judicial Service ?- Yes. 27543. How does that compare with the number of listed posts they now hold?—About

three to four District Judges. 27544. What percentage do the listed posts

bear to the total number of Judges ?- About three. As far as I remember it is three.

27545. What percentage of that is the total number of Judicial appointments?—Three in the first grade, six in the second grade, and nine in the third grade. It would come to 3.6. It is about 20 per cent. 27546. You do not want to increase them at

27547. (Mr. Heaten.) Do you think that the demand for simultaneous examinations is as keen now amongst the educated gentlemen of this country as it was, say, fifteen years ago ?-I think

so, amongst the educated classes.

27548. You do not think that the extension of their attention to commerce and industry has, to some extent, taken away from their keenness in the matter of simultaneous examinations?—Some educated men have gone to England to study industries and science, but in spite of it there is a feeling that it is not fair that our men should not have an opportunity of appearing at the simultaneous examinations here.

27549. Would you give it the same relative

27639. We used you give it the same relative importance that it possessed fifteen years ago?—
It has not grown. It is the same.
27550, Do you consider that there would be any difference in the regulation of those who passed in India and those who passed in Bagland?—No; if the examination is held by the many holds of [Cuil Semica Country]. same body of Civil Service Commissioners. You would not consider the mere fact

that certain candidates have not made an effort to go to England in order to pass would differentiate them from the others?—I do not think so.

27552. In your answer to question (2) I think you are there dealing with the subject of the competitive examination?—Yes.

27553. You say, "the system does not provide for legal training". Do you think it ought to provide legal training?—That is not for the competitive examination.

27554. With reference to your answer to puestion (11), I see there that for the purpose of the Judicial Departments you depart from the principle of competitive examination, and you say that 30 per cent. should be thrown open to Indian practising lawyers. You introduce selection?-It has been rather a difficult thing to decide. I have tried my best to find out some solution, and that is the only solution I can come to. Practising lawyers would not submit to examinations at the end of seven years; and as I want practising lawyers we have to fall back upon selection.

27555. Why do you want practising lawyers?—My friends who are lawyers tell me that unless a man is a practising lawyer he would not be able to weigh evidence.

27556. You give that as lawyers' opinions?-

27557. Do you think that lawyers entirely unprejudiced judges of that matter? Is not their own profession, perhaps, likely to tinge their view ?- It may be: and there is a precedent also. At present in the Subordinate Judgeships we require three years' practice, so that Government must have some reasons for fixing three years' practice as the necessary qualification.

27558. You do not know much about the men who are appointed Subordinate Judges, do you?-

Not much,

27559. You have no real knowledge of the amount of practice they actually have had?-I. know that some have had very good practice, and others have had very little practice.

27560. These that have had very little practice are probably largely in the majority. What advantages do you personally think would be derived from taking away this 30 per cent. of judicial appointments from the Civil Service, and recruiting them by nomination from practising lawyers?—There is a demand from the lawyers that they should have some opening in the Service.

27561. Have you any opinion of your own ?-I think the demand is a just one.

27562. You have said that Magisterial and Executive experience are not a necessary training for an officer who joins the Judicial Department. Have you any opinion as to whether it is a valuable training?—I think it would be a useful training : I will not say valuable.

27568. Do you know much of the nature of the cases that come before District Judges?—

Something.
27564. Do you not know that a great many of the most important of them deal with land tenures ?—Yes. 27565. Is a practising lawyer in a Presidency

town likely to get much acquaintance with land tenure? The information has to be supplied to him by others, has it not?—Yes, 27566. A Civilian who has done four or five-

ears' work as an Executive Officer does acquire an intimate first-hand knowledge, does he not?-Yes, that is so.

27567. And does not his Magisterial work give him a good deal of practice in assessing evidence?—It does.

Continue 1.

27568. And gives him considerable knowledge of the kind of element which is so often present in dealing with criminal matters?-I

think it does, to some extent. 27569. So that you would say, at any rate to a certain extent, that it was a valuable training?

-It is a training to a certain extent. 27570. As to the two-thirds, what is your view as to giving extra remuneration in some form r another to Civilians who have come from England and consequently have incurred expenditure which the promoted Provincial Civil Servant probably has not?—I do not feel competent to

pass any opinion upon it. 27571. You do not absolutely advocate that they should be paid exactly on the same terms? What I said was that these officers from the listed posts who do the same work as the other Civilians, should not be treated as if they were inferior persons. The possibility is that if they get two-thirds of the salary they will not carry the same

weight as other Civilians.

27572. You would not object to a system by which salaries are identical, but that English officers should receive some compensation in some form on account of their special expenses?—As long as the salaries of all the listed posts are the same, I do not object.

27573. As to your own State of Bhavnagar, with regard to the separation of Magisterial and Executive duties, I understand you have Sub-ordinate Judges who are also Magistrates?—Ves. 27574. And do all the Magistrates there do

both Civil and Criminal work ?-Yes, they do both. 27575. All of them ?-Yes, all of them.

27576. About how many officers are there of that kind there?-There are nine tálukus and nine Subordinate Judges with Magisterial powers, and each of these tálukas has one Revenue Officer.

27577. About how do these talukas compare with say those of Ahmedabad? - I find there are six talukas and two mahals, so that the nine talukas would be equal to the work of one Collec-

Your táluka would roughly he about the same?-Some have about fifty or sixty villages, some twenty-five or thirty, and some forty or forty-five villages in each talula.

27579. Are these officers over-worked or do they find no difficulty?—They are not over-worked. 27580. Do you know if they find any difficulty in agranging their civil and criminal work so as to

prevent unnecessary delay?-No complaints reached me when I was in the Service.

remains me when I was in the cervice.

27581. (Air. Joglekar.) You have said in
snower to question (24), "I do not approve of it as
I am in favour of a simultaneous examination." Supposing simultaneous examination is introduced. rou would reduce the present number of seventeen listed posts to only two? - I would. 27582. You would reduce fifteen posts at

once ?-Yes, from the listed posts. 27583. You will not leave any encouragement to old men, serving in the Provincial Service?— That would be so to a large extent. I have kept two Collectorships for them.

27584. Or would you reduce the number gradually as men pass the simultaneous exami-nation?—I would take the chance. I would reduce it all at once.

27585. In your answer to question (51) you "I would combine nomination and competition for the recruitment of the service "?-Yes.

27586. But under the Government of India Resolution they also select men with high educational qualifications?—Tes, they do. Until now the selections have been good. I have no com-plaint to make. They have proved very satisfactory. But to ensure that that should continue, and that the Executive officers should not be troubled with recommendations, I should like an examination

27587. If high educational qualifications have already been looked to by the Government so far, what is your ground for competitive examination, what suspicion have you?—Each candidate comes with a number of recommendations from his own Principal. M.A.'s come. I know four M.A.'s who have applied this year. If there are Honours M.A.'s with splendid testimonials from the Principals of their colleges, how are they to be selected?

27588. But educational qualifications are not the only considerations. There is sound health. good physique, active habits and good character?— Those will stand.

27589. When would you take these qualifications into consideration, after or before examination ?-Before.

27590. You would only allow candidates to appear who had these qualifications?-- I would have all these qualifications taken into consideration before nomination. Then there would be the competitive examination.

27591. You still think that competitive examination is necessary, although Government has selected the best men so far?-Yes, I have said so.

With regard to the Magisterial powers of Mamlatdars, do you think that Subordinate Judges in British India should do this work in addition to their civil work when the powers are transferred ?-Yes, but the details of the scheme will have to be worked out.

27593. Do you think that Subordinate Judges should do the duties both of civil work as well as Magisterial work?—Both.

27591. In Khandesh there is one Subordinate Judge for two tilukas?-Yes.

27595. Do you think they can do Magisterial work as well as civil work?—We will have two Subordinate Judges instead of one. We will increase the cadre.

27596. Will you not take the additional expenditure into account ?-We will have some saving by reducing the posts of the Deputy Collectors and the Mamlatdars.

27597. You think that the Mamlatlans' posts can be reduced even if the Magisterial work is transferred?—Yes. They can.

27598. Do you think that these powers should be given to travelling officers? The Magistrate has sometimes to hold an inquest. He has sometimes to go to a place to suppress a riot. Do vou times to go to a pace to suppress a rot. Do you think that a travelling officer should have his powers, or that incidentally an officer like a Sub-Judge should be entrusted with the work?—

Why? 27599. He has also civil duties?—We have been doing it in Bhavnagar, and there has been no complaint. 27600.

Although they have civil and crimical work? There may be urgent calls for riots to be suppressed?-Riots to be suppressed! That is not criminal work,

3rd March 1913.]

27601. Under the Criminal Procedure Code me Magistrate's presence is required ?—Fortunately there are no Revenue riots in Bhavnagar. are a very contented people in Bhavnagar.

27502. Have you studied the conditions in British India?—They are practically the same. 27603. Do you know that each Sub-Judge

has got civil work in two or more talukas? instance there are 17 talukas and four mahals in East and West Klandesh, with only nice Sub-Judges. Do you think they can do their work in addition to their civil work?—If you take Khándesh, I will take the other districts. 27604. Recently in every tálaka two Sub-

Inspectors of Police have been appointed for the purpose of speedy criminal work and investigation. By your melbed one Sub-Judge will have to do the eximinal work of four Sub-Inspectors of Police in addition to his tivil duties?—As I bave told you if a scheme is asked for I can prepare one by which we can have one Assistant Subordinate Judge to

do that work. I am prepared to work out a -scheme if I am asked to do so.

27605. Without the additional expense?-The country will not mind that slight additional expenditure which will come.

27606. Can you give me suy reasons for transferring magisterial work from the Mamlatdars to Subordinate Judges?—Wby ask this question? It merely leads to speaking against some people,

and it is not fair. 27607. In answer to question (60) you say that the existing rates of pay and grading in the Provincial Civil Service are adequate?—Yes. 27608. Do you think that the first three grades of Deputy Collectors are sufficient (at

present the number of grades is 12) as compared with the total number of the next three grades?-I have not heard complaints. I believe they are satisfied. There may have been complaints, but I have not heard of them.

(The witness withdraw.) (Adjourned for a short time.)

LOUIS CHARLES CRUMP, Esq., LC.S., District and Sessions Judge.

Written answers relating to the Indian Civil Service.

27609 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satis-Service: Low your accept to as generally sain-factory in principle?—An my opinion the system of recruiting the Indian Civil Service should be so designed as to secure a minimum number of persons possessing the best English training and education processary to preserve the essentially English character of administration. That training and education cannot be obtained in India. I regardresidence at an English University as essential. A competitive examination is the best means that can be devised of selecting the necessary number of persons from among candidates so qualified. It is not per as an exhaustive test of the fitness of a attainments. Starting from these premises the present system is in my opinion generally satisfac-tory. It has been in force since 1892, and speaking from intimate official and personal knowledge of a large number of officers appointed since that date I am satisfied with the results. The officers I am sansited what see resules. Any concern appointed under this system bave on this whole a high degree of mental and physical capacity and are in my opinion well qualified to do the works which falls on the members of the Indian. We service. I could instance many who possess shillty in a marked degree, and the average is as high as can be reasonably expected.

27610 (3). Is the system equally suitable for the admission of "Notives of India" and of other natural born subjects of His Majasty? . If not, what alteration do you recommend ?-I do not consider the system equally suitable for the admission of "Natives of India." My reasons are that in the case of these candidates the test is one of intellectual attainments only, and it is possible that the success of such candidates in preponderating numbers might tend to destruction of the English character of the administration of the Engine character of the automostration which in my opinion it is essential to preserve. In practice, however, I am not in favour of any change. The objection is at present theoretical only, and unless and until it is found that there

is any probability of the English element in the Indian Civil Service being seriously reduced, it is not necessary or desirable to make any change.

27611 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?-On the whole I consider the combination advantageous. It secures the largest number of qualified candidates. No doubt the Home Civil Service is as a matter of fact more attractive now than the Indian Civil Service; that is apparent by the fact that the men who take the highest places select generally speaking the former rather than the latter, but it is very doubtful whether mere position in the list is any criterion of the ability of a candidate. Even if it be granted that it is so, the separation of the exuminations would probably not separation of the examinations were groundly are cause the better candidates to compete for the Indian Civil Service. If in any year there are 5 vacancies in the Home Civil Service and 20 in the Indian Civil Service, a separate system of succession would result in the entry of the recaminations would result in the entry of the more highly qualified candidates for the former only. These would be in excess of the number of vacancies, and the surplus would be lost to the Indian Civil Service. At persent the total number enter as a rule for both, and the man who fails to obtain a home appointment, accepts in the

majority of cases on appointment to lodie.

27612 (6). If you do not consider the present
system of recruitment by an open competitive examination to be estimated by an open competency examination to be estimated by in principle, please state what alternative you would propose. Do you recommend a system based on any of the you recommend a system was not the following principles: (a) Selection by hea imasters of schools approved or otherwise: (b) Selection by authorities in Universities approved or otherwise: authorities in Universities approved or otherwise.

(b) Nonlancian by bandmarkers or University authorities and selection under the orders of the Secretary of Se other hand I regard with extreme distrust any system of recruitment by selection or nomination. The system of open competition has now been on trial for 69 years and more, and the results have (in my opinion) justified it. In the absence of

un my opmosi justilisi to. In the absence of provid messivity no change appears to be called for, 27613 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in bobb cases to all natural-born subjects of this Majasty ?—I am opposed to the system of simultaneous examinations. The system of simultaneous examinations. The grounds on which the Public Service Commission of 1886-37 based their recommendations (paragraph 50 of their report) appear to me to be in the main valid at this date. Apart from any question of race it is not (in my opinion) as a rule possible for a candidate educated solely in India to possess certain qualifications essential to the Indian Civilian. There may be, and doubtless are, excep-tions to this rule, but it is unsound to base a system on exceptional cases. If the administration of India is to be conducted on English lines, the successful candidates must possess the qualities formed by the best system of English education. Under the existing system if the candidates have any chance of success in the examination, it may be said that the majority possess these qualities. The question is, how to solect among candidates so qualified, and here the system of open competition begins, and that system, as a rough test of intellectual attainments, is adequate. A system of open competition in India would be a test of intellectual attainments only. In the event of Indian candidates being successful in preponderating numbers the minimum English element would disappear. I regard the Indian Civil Service as being primarily intended to seems that necessary

27614 (8). Are you in favour of holding this examination simultaneously at any other contre or centres within His Majesty's Dominions?-The reasons which lead me to disapprove of a system of simultaneous examinations in India and England also lead me to doubt the wisdom of holding the examination at any other centre than London. I have not however sufficient knowledge of conditions in other parts of the Empire justify me in pronouncing a positive

opinion. 27615 (3). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend ?-So long as the strength of the Indian Civil Service recruited in England as at present is preserved, the proposal na Engrana as at present a present of the project to fill researches by any other method is not open to the objection that it may took to reduce the essential minimum. So long as that minimum is maintained I have no objection to the filling of vacancies in excess of that minimum by other methods. But the method suggested is open to objection. An open competition of a literary objection. An open compension of a interaty unture does not test the qualities required for these appointments. Further, the result of such a competition would be to secure the almission of a preponderating majority of one section, and that a section which does not command the confidence of section when does not community. The proposal all sections of the community. The proposal would probably be recented by other sections of the community. I am speaking of the suggestion to hold separate examinations in each province.

The suggestion to hold one separate examination ane suggested is not one separate examination for the whole of India or for groups of provinces is even less acceptable. In any event I should be opposed to recruiting the In lian Civil Service as such in any manner except by open competition in

England on the present lines. 27616 (10). If you do not approve of simaltaneous or separate examinations in India, are you in favour of any system under which "Natires of India" would be selected in India for admission to the Indian Civil Service by means of (a) nominaion; (b) combined nomination and examination; or (c) any other method? If so, please describe fally what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In my opinion the Indian Civil Service as such should be kept apart and recruited in England to the necessary minimum strength, such appointments as remain over being filled by another method. It is not possible to recruit one service in two ways as not passage to results out acrees in two ways except nominally. Persons admitted to the Indian Civil Service in the manner proposed would be in reality on a different footing from those who had entered by competition in England. Further, if they were to receive the same rates of pay the proposal would be uneconomical; if they are to receive lower rates of pay, still less would they in fact be members of the Indian Civil Service. It is most undesirable to do anything which makes that service less homogeneous and less attractive. It is of course desirable that all literate classes and communities should be represented. No system can be devised which will do this. The matter can only be left to nomination and the discretion of the Local Government

27617 (13) Do you recommend any reparate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose? -In my opinion the most essential qualifications for the discharge of the duties of a District and Sessions Judge in this province are a sound general cluca-tion, and intimate knowledge of the country, and plenty of common sense. The majority of men in the Judicial Brauch cannot hope to rice higher than the post of District and Sessions Judge, and 90 per cent. of the work done in Disanegy, and so per can, or one work done in 1935-tries and Sessions Courts turns on questions of fact. The problem ordinarily presented takes this form, "Is the witness telling the truth? If so, what is the inference?" No training in law which has yet been devised will help a man to answer these questions. The present system gives us men of good general education; the years which they spend as Assistant Collectors give them an intimate knowledge of the country, as they are in camp for many months away from the artificial conditions which prevail in large towns. During these years they deal with much criminal work, and not a little work of a civil eriminal work, and not a little work of a crist mature. A man with this training his gone a very long way towards qualifying himself for the duties of a District and NewYorks badge. Not only is it a good training, but it is olamost essential. The sole question that remains is how to give a man so trained the necessary knowledge of law. I would not underrate the necessity of that knowledge but there is, I think, a growing tendency to overrate it. So far as recruitment goes I am unable to suggest any better system.

3rd March 1913.1

27618. (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of course, or canadaces as an interinciate stage of education?—In the first place the "intermediate stage of education" must be ruled out. I regard residence at an English University as most desirable, but there are only two ways of securing it. demand, but there are only two ways at securing to The majority of candidates at present hold scholar-ships, and it is clearly impossible for the holder of a rehelarship to give up the ordinary academic ourse in order to compete for the Indian Oivil Service. Failure would leave bim stranded. As Service. Filture would leave that standard. As between candidates of the school-leaving age, or candidates who have completed the University course, matters are fairly evenly balanced. The University course gives men of more matured intellect; the objection is that it excludes a certain form. number of premising boys who cannot afford the expense of the University. I should be inclined to maintain the age limit much as at present subject to the abolition of the year's probation in England. This would remove the main defects of the present system, viz., that men are kept too long at the University and come out to India too old.

(16). What is your experience of the 27619 relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits, 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21-23 or 22-24 years, followed by one year's probation)?—There is practically no difference in

point of merit. 27620 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?-It is impossible to give any opinion on a man's capacity until he has been several years in the service. This is so for two reasons. In the first place men are not generally known until they have been in more than one station. In the second place they get no opportunity of showing what they are worth. The men who have been five years and more in this province are in the large majority of cases suitable recruits. Such of those whom I know below that standing appear to me to be suitable in most cases,

27621 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?—I entirely accept the principle laid down in the question.

27622 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Viet, c. 54). [Attention is invited

to the provisions of the Indian Civil Service Act. to the provisions of the indian Livil Service Ac, 1860 (24 & 25 Vicie, a. 5) and of the Government of India Act, 1870 (33 Vict, a. 3), reproduced as Appendixes II and III to these questions; I—I consider in necessary to have a standary resemble of certain posts for the Indian Civil Service—(i) in order to maintain the necessary minimum,

(ii) as a guarantee to candidates for the service; I see no reason, speaking as a Judicial officer, to suggest any alteration in the Schedule, so long as of India " to any of the listed posts,
27623 (24). Do you consider that a minimum

27023 (22). 10 you consuce that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Ciril Administration? If no, to what properties of the posts included in the Indian Ciril Section of the posts included in the Indian Ciril Section and the Ciril Administration of the posts included in the Indian Ciril Section 2018. might, under present conditions, properly be admitted?—I consider a minimum of Europeans essential. It is impossible to suggest any proportion of posts now held by the Indian Gril Service as that to which "Natives of India" might be properly admitted. It is only possible to say that from time to time more such posts should be

From time to some more soon posts stoom to recarded by appointing "Natives of India", 27624 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recurried partly through the medium of ar open competitive examination in Bogland, and partly by special arrangement in Diginate, and party of special attinguages the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 provisions on any annual CFTI, curving Arts, 1000 (24% & 25 Vict., 0. 63)? Do you recommend any alterations in this system, and if so, what?—If efficiency of administration is the test, the present system is satisfactory. The system is good enough if it is properly worked. It is continuously and promoting, such solution about any appearance. quite elastic and provides a simple and economical method of increasing the Indian element in the

administration from time to time. 27625 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recom-mend?—I would not revive it. It was not a success and probably no one desires that it should be revived.

27626 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examina-tion are required to undergo a probationer's course-of instruction in England? Do you recommend the continuance or abolition of this system ?-If the existing system of recruitment is to be maintained, I would abolish the period of probation. I am A woose agencia or promoter. A men credibly informed by many joince offerer that it is time wasted, and from my own experience of two years' probation from 1888 to 1890, I should say this was probably so. It was necessary then it meant a period of residence at an English This could be a substitute of the state of th University, which was most valuable, but as a special training for work in India it was of very little use. Now the successful candidates have in the great majority of cases already gone through are great majority of cases attendy gone through an University course, and it is unnecessary to detain them a year in England. I do not think they learn anything which they could not learn more quickly in India.

27627 (45). Do you consider it desirable that probationers should be required to spend their

period of probation in England at an approved University — As I have already said, I regard only two systems of recuritment as possible—() to take candidates at the school-leaving age as was done up to 1891, (ii) to take candidates who have gone through an University course. If there is to be a reversion to the former system, then I should regard residence at an approved University as a necessary part of the period of probation. If the latter and existing system is adhered to, then no probation is negland is necessary

27628 (46). It so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Any residential University of good standing should be allowed, but not an University which is a more teaching or examining body. It is residence at an University, under conditions such as obtain at Oxford or Cambridge, that is necessary, as distinguished from succe attendance at lectures or classes held by a teaching or examining body.

27629 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The scale provious to 1891 was suitable and also the conditions attached.

27890 (49). Would it, in your onion, he dealmab to octable a separate institution in Ragiand for this purpose, and, if so, under what conditions 7—It would in my opinion to a great missake to establish any separate institution. It would be impossible to secure the breakful and freedom whole is so necessary. An institution of that kind would compare most unfavourably with an University sead as Oxford or Cambridge in everything except perhops in the teaching of special studies. These are of comparatively lattic importance. Cambridges trained on such lines would be echololopy with a special studies.

27/331 (69). If a probationer's course is continued in Engiand, do you accept the principle laid down by Lord Mantainy's Committee in 15%, that successful candidates in the open competition should be considered in sharing finished their should be such as have a special teachery to fit them for their calling? Does your answer apply qually to candidates who past teachery to fit them for their calling? Does your answer apply qually to candidate who past the open competitive examination after leaving ethod and to those who do so after completing a University course?—

I do not scoppt the principle if it means that special shuffs are to exclude ether considerations. The value of such special studies was ranch evertated its my time, but no harm, was done as the anaddates in the majority of cases wont to Oxford and Cambridge, and thus got most of the ateratings of University bills. These advantages or Enge of University bills. These advantages are far more insportant thun any system of special studies.

27032 (81). Please examine the statement mixed as Appareix VI to these questions showing instead as Appareix VI to these questions showing fate convex of studies prescribed for probationers in 1891 and 1912, and state what electrons (if any) made the existing system of the open competitive examination, and (i) under any modification of that system recommended by your Purback the existing system of two part Purback the existing system I would abuilst the probationary round adaptates, and bring the causesful candidates to lucius as soon as possible after the open competitive. I recommend to the terrative system.

27633 (53). Do you consider that the prabationer's course of instruction can best be spent in England or in India?—Certainly in India under the existing system.

27834 [54]. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in Empland 2—The proposal is impracticable in view of the enormous differences which prevail between different parts of India. The question of language above woult reader it possible to establish any central college with any advantage.

27635 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?-In this Presidency the objection stated to the last question exists in a modified degree. The existence of five languages, of which four are vermeular, in distinct portions of the Presidency would be a serious objection. It is difficult to learn a language adequately except in the country where it is spoken. Probably the most wately spoken language is Marathi, and if the proposed centre was in a Marathi-speaking District the men who had to go in Sind, Gujarát, or the Karnatak after their training would be at a great disadvantage. They would be in the position of a man who has learnt Italian with a view to work in Spain, Knowledge of the vernacular is the most impartant part of the training of a Unition. Again it is difficult to see what practical training would be possible under such a system.

27636 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1969), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arthous study in a tropical could be met by a suitable scheme of instruction in India?—The objections in my opinion have very little weight at least so far as this Presidency is concerned. I gather from Appendix V that selected cambidates for this Presidency are taught in Bugland some elements of the Marathi language. Of the seven candidates who arrive lin 1911 two were posted to Districts in which the Maráthi language is spoken. Il candidates are not posted to out-of-the-way places, and this is not, I believe, the practice, there is no look of adequate teachers, and I have not yet found that they failed to appreciate the European student's point of view, except where correct teaching made it inevitable that they should do sa further in my opinion not possible to hold that a language can be better learnt in England than in a country where it can be heard spoken in the streets. As for the question of ardnoon study in a tropical climate, if may be observed that the work which a man has to do when he arrives in India is far less arduous than that which fulls to his lot in later years.

3rd March 1918.]

80

Mr. L. C. CRUMP.

Continued:

27687 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India?-I am satisfied with the present system.

am satisfied with the present system; 27638 (64). Please give your views as to what steps (ff any) are necessary to improve the proficiency in the knowledge of law of nembers of the Iudian Civil Service, distinguishing between recommendations applicable to all officers with the officers selected for the Judicial Branch. In the conficers selected for the Judicial Branch. In the conficers selected for the Judicial Branch. particular, do you favour a system of granting study leave to Europe, and if so, what ocates of study (course for a call to the Ear, realing in Barristers' Chambers or other), and what conditions do you propose?—There is little or no need to do anything as regards officers of the Indian Civil Service in general. The present training is quite enough. Up to the time when an officer joins the Judicial Branch no further training is necessary. The earlier years start be spent in executive work: that is in my opinion imperative. I would here quote what I wrote in 1904 on this matter, as it probably gives a better idea of the position of the officers likely to be affected than anything I could say now: "It is to be remembered that Judges in this country have to deal with a public of whose language, ways of thought and so all customs they are in the beginning entirely ignorant, and legal studies which would be adequate in the case of an Englishman seeking Judicial office in England must be preceded here by other training. This training is admirably furnished by the executhe work of an Assistant Collector, and it is perhaps scarcely open to controversy that it is most desirable that the earlier years of a civilian's service should be spent in the executive branch \* \* \*. The question is, Given an Assistant Collector of 4 or 5 years' standing what method should be adopted to convert him into a satisfactory Judicial officer? \* \* \* \* \* I should tory Jodicial officer: \* \* \* . 1 assumment be very willing to avail myself of the opportunity of reading in a Barrister's Chamber, but I would respectfully suggest that the pale, the did not also allowed to extremely on the leave admissible under the aristing rules. The work so done would after all be work done in the interest of the dominant of the comment of the interests of the administration and should be Interests of the manifestation and superior or allowed to count as active service on liberal con-ditions as to pay. It has been my experience that all leave which I have hitherto been able to enjoy was absolutely essential for mental and bodily was answering resource for incurs and county recuperation, and unless something more than furlough allowances are to be allowed, it will be extremely difficult for officers in the first balf of extremely diments for oneses in the mess man of their service to afford to take in addition leave for the purposes of study. Later on they will be less inclined to do so." The above represents my view, which is that the existing training in India should be maintained, and should be supplemented by reading in a Barrister's Chamber in Eugland period of study should count as service. I would here point out that one of the great difficulties which judicial officers experience at present is that their career offers no prospects at all comparable with that of an executive officer. Distinctions of any kind are practically anknown to them, and a reference to the Bombay Civil List will show that as between Collectors and District Judges the prospects of the former of promotion to high offices are immeasurably superior. These are factors in the problem, for it is not probable that men will

undergo a course of reading at their own expense if they have no advantage to look forward to. Therefore it is that special inducements should be offered. An alterna-tive would be to improve the prospects of judicial officers and to give special promotion to those who have qualified themselves by study in England, Possibly an assimilation of the rates of pay of Judges in this Presidency to those obtaining, say, in Bengal, coupled with a system of promotion by selection to the higher grades, might serve as a stimulus. If there is any shortcoming at present in the matter of legal knowledge, the want of any spur is largely the cause. A minor matter, but one of great importance, is the necessity of better provision for books for the use of District Judges. There are Law Libraries at District Headquarters, but it is necessary that a Judge should have an adequate library of his own: especially is this so in view of the not very advanced standard of the Local Bar in most District Courts. That is in itself one of the difficulties in the way of legal training. At many District Headquarters the Bar is most inadequate, and thus a Judge is deprive of the most valuable assistance which a Judge can have. It is therefore all the more necessary that he should be in a position to buy books. Every District Judge should have a yearly grant for the purpose of keeping up an office library, and every judicial officer should be allowed to borrow money from Government on very easy terms for the purpose of buying law books for his own use. Such advances are made for the purchase of tents and motor cars. At the present moment it is impos-

sible so far as I know to find a complete set of the English Law Reports cutside Bombay or Kardoni. 27639 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I am opposed to any system of this kind. I do not believe that a mon who is a student is necessarily a good judge. Granting that the higher study of law is advisable, the way to secure it is by offering inducaments in the way of promotion, and by giving facilities for study in England. Mere reading for the purposes seamy in longitude. Mere reading for one purposes of pecuniary rewards is a poor kind of study. It is also plain that only a junior judical officer would care to enter for reward of this kind

27640 (34). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what? There is no doubt that the members of the Judicial Branch of the Service in this Province have always been disastisted with the rates of pay. The average is lower in the Bombay Presidency than in any other Province. There is no adequate reason. A general improvement of rates of pay is necessary in the interests of judicial work.

### Written asswers relating to the Provincial Civil Service.

27641 (1). Please refer to Government of India Resolution No. 1048-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you may recommendations to make for their alteration ?-So far as concerns the Judicial Branch of the Service the conditions are generally suitable. As regards No. IV reciprocity of treatment should be insisted on as regards No. V a definite intention to become a resident of the province should be required.

27642 (2). Please supply a copy of the rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules for recruitment of Subordinate Judges, that is to say of the Judicial Branch of the Service, are generally suitable. I would however reduce the number of "qualifying posts" (Rule i). Some of those now prescribed (e.g., Nazir and Head Clerk in a District Court) should not qualify. Subject to good behaviour, appointment to a qualifying post should mean promotion to a Subordinate Judgeship. I would further, on first application, make such enquiries as may be necessary and inform the applicant at once if his services are not likely to be required. This would reduce the list of candidates for appointment. At present there are more men waiting than can possibly be taken into the service. Subject to these emendations the rules are suitable.

27643 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited? -In my opinion only residents of the province should

ordinarily be recruited.

27644 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is impossible that all classes and communities should be represented in the Judicial Branch of the Provincial Service. Nor is it desirable to attempt to do so. Where qualifications are approximately equal, considerations of this kind should be allowed some weight. Subject to this exception efficiency should be the main test.

27645 (19). Are you satisfied with the existing arrangements by which certain posts, orderarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest ?-There is no doubt considerable dissatisfaction felt among the mombers of the Subordinate Judicial Service at the manner in which appointments are made to the post of

Assistant Judge. This is due to two causes. (i) that junior officers have been selected, (ii) that appointments have been male from outside the Subordinate Judicial Service. In my opinion this dissatisfaction tends to reduce the efficiency of the Substitute I reads to Francisco are concerned of the Substitute Judges as a while, and is not entirely without justification. The position is really due to the fact that Assistant Judgeships are not suitable appointments to which to aquaint members of the Provincial Service. A man must be taken young to fill them, and naturally he goes on to a District Judgeship. He is thus at an early period of his career put over the heal of the other Subordinate Judges, and the more able among them are necessarily discouraged as they feel that they have nothing to look to, but promotion in the ordinary line. In my opinion the system is wrong. Promotion to a District Judgeship should come later in the career of a Subordinate Judge, as a reward of proved judicial service. I would confer criminal powers more freely (the powers of an Assistant Sessions Judge) on selected Subordinate Judges to give them experience of criminal work, and I would select to District Judgeship direct. There is nothing in the work of an Assistant Julze, which is a better training for the post of District and Seasions Judge than the work of a First Class Subordinate Judge with appellate powers if once the latter be given some criminal experience. It would of course be necessary to fix a limit of age beyond which promotions would not be mule to a District Judgeship. I would as a necessary consequence abolish the three Assistant Judgeships now open to the Provincial Service and raise the number of District Judgeships to five

27016 (24). Are the existing rites of pay and grading in the Provincial Civil Service of your Province adequate to secure the desir 1 qualifications in the officers appointed? If not, what alterations do you recomment?-Here as in the superior Judicial Service the rates of pay in this Presidency compare very unfavourably with those in force in Bongal. The lowest rate of pay for a Subordinate Judge should be Rs 200, the freshort Rs 1,000. Primotion is, moreover, extremely slow. A man should reach the Erst Class in 15 years. The appointment in the First Class require reconsidering. There are to few appointments in the First Grale. At present it is very deficult for a min to rise beyond the faird Grede of the First Class.

### Mr. L. C. Chump, called and examined.

27647. (Chairman.) You are a District and Sessions Judge !- I am. 27648. And a Member of the Indian Civil

Service ?-Yes.

27649. And I believe you have been in the service for twenty-three years?—That is so. 27650. You regard a minimum British

element in the administration as essential?-

Absolutely. 27651. And you would recruit that minimum in England only ?-Yes.

27652. Do you regard the Indians who pass in England as forming part of the English olement?—I am prepared at present to regard them

in that light. 27653, You would fill any posts which were

not needed for this minimum by nominating Indians in India?—Yes,

. 27654. But you would keep them out of the Indian Civil Service? - I would keep them wholly apart from the Indian Civil Service.

27655. Your objection to including them in the Indian Civil Service is that in your spinion it is not possible to recrut our service in two ways?—That is so I think that if they are nominally included in the same Service they would practically belong to a different Service, or would he so regarded because they were regrated in a different manner.

27656. Would you nousinate from the Provincial Service or in part at least from outside the Profincial Service? - I am in favour of nomination from the Provincial Service.

27657. So that rollly you favour the present appear of listed pasts? - Yes.

88

27658. Would you suggest an extension of that system?—I have suggested an extension in one instance, that five District Judgeships might

be thrown open to the Frevincial Service. 27659. How many District Judgeships are there now !-Three, and I would increase them

by two

by two. 27660. Is there any other way in which you would extend the system 2-No. I am not prepared to make any further suggestion. The most suggestion I have made is that promotions to these District Judgeships should be mainly from the males of the Suberdinate Judges and not as at pursued from special populationals of districts Indiana. I want the frage of the Suberdinate Fundaments of Actionate Judges. I want of the Suberdinate Subers. I want the fungar of the Subers in Judges. Assistant Judges. I am not in favour of includ-Ing Assistant Judgeships as listed appointments for the Provincial Service. I should prefer to promote direct to District Judgeships from Subordinate Judges who have done approved Judicial work.

27.661. You would prefer that the Assistant Judgeships should be filled direct from the Indian Civil Service?-Yes: of course at present

they are partly one and partly the other. 27662. You do not favour the proposal to raise the pay of the listed-post officers to that of the Indian Civil Service officers?-No, I am against doing that, because it appears to me that it is uneconomical. If it is thought they should be on the same footing as regards pay that might be met by giving the Englishmen extra allowances of a personal nature on account of the extraexpense, but to make the holders of listed posts draw the same pay as members of the Indian Civil Service would be very uneconomical. At present they draw two-thirds, and men fully competent to discharge the duties of those posts can be obtained for the pay. Taking other things into consideration that pay is fairly equal to the

pay that is drawn by the Indian Civil Service. 27663. Those officers as a matter of fact are doing precisely the same work as those in the Indian Civil Service?-Yes. Of course their expenses are far less. It is simply on the ground of the extra expense entailed on the Englishmen in India that I advocate their drawing a higher rate of pay than the holders of the listed posts appointed from the Provincial Service.

27684. You would maintain the present age limits but abolish the year of probation now allowed !- I have not a very decided opinion on that matter, but that on the whole is the view to which I tend, that is to say maintain the present age limit which gives a man a full University

age time when gives a man a time of the course, and abolish the year of probation.

27665. You regard the present year of probation as necless?—Largely as useless, in the sense that I think it might be much more profitably

employed in India.

27666. You do not believe in probation in England?—No, not probation for the Indian Civil

Service in England.

27667. But you think great benefit might accrue if the period were spent by the European in India ?—I do. Instead of the man spending a year of probation in England I would give him a year's training in India.

27668. Under the same system as he gets his training now?-Practically the same system. I think the system under which our men are trained in this Presidency is on the whole satisfactory.

27669. During the year that an officer is going through his probation in England under the

present system, he is learning a certain amount, is he not?—Yes, but he learns a good deal that is really of very little direct use to him. instance, the language that he learns is really of very little use when he comes out here. A man coming to this Province learns the elements of the Marchi language and he is probably posted to a district in which Canarese is spoken and the language he has learned is not spoken. A men has just come to my district who has learnt the elements of Marathi, and that is of use to him because the languages are to a certain extent allied, although Canarese is a Dravidian language and far apart from Maráthi. His time would have been better spent in learning Canarese.

27670. What clse does he learn during the year of probation in England which it would be necessary for him to take up during his year of probation in India?—He would have to learn a certain amount of Law, sufficient to discharge the duties of a Magistrate.

27671. What would be the best means by which he should obtain that knowledge of Law in India?—I think he would have to obtain working knowledge of the Indian Codes, Of course our Criminal Law is almost entirely codified. I think he ought to attend the Courts and see how the work is done, as that would be a very valuable help to him in knowing the language

also, because the proceedings are in the vernacular. 27672. Do you think that the year of probation in India will help an officer to assimilate himself to the conditions of India?—This is most important. I do not think a man is fit to discharge the duties of an Indian civilian until he has had at least a year in India and has learned the language and something about the people, and has travelled about in camp with a superior officer,

and actually seen the manner in which things are done. He does that at present.

27673. So that your scheme really reduces the probationary period by one year?—Yes. I would qualify it by saying that if the age limit is to be reduced, I would increase the probationary period, because I consider residence at an approved English University essential. If you take boys at the school-leaving age you must give them time at the University, and it is as a part of their general education rather than a special training that I regard residence at a University as so necessary.

27674. If the age limit were altered you would like to see it reduced down to the school-leaving age?-Yes, 17 to 19, as it was when I passed myself.

27675. But of the two age limits you prefer the present one?-Yes, on the whole I prefer the present one.

27676. So that the young civilian would enter you active work at the age of 24 instead of 25 ?-Yes, a year earlier. I think he comes out too old at present.

27677. How many Assistant Judgeships are there in this Presidency?—The number is not absolutely fixed; they are appointed from time to time according to the exigencies of Judicial work and according to the number of Assistant Collectors who can be spared for that work. The number varies from time to time.

27678. How are these Assistant Judges recruited ?-They are recruited from the Assistant Collectors; they are graded as Assistant Collectors and are appointed as Assistant Judges under the Mr. L. C. CROMP.

footinged.

Bombay Act of 1869, section 14, and they have original jurisdiction up to Rs. 10,000 under section 16 of that Act.

27679. What salary do they get?—The salary of their grade as Assistant Collector, and that yarries according to their position in the general list. The post may carry a salary as low as Rs. 700 a month. I have an Assistant myelf who I believe is drawing Rs. 900. Some are drawing Rs. 766.

2/880. They really range from Rs. 700 to Rs. 900 7-Yes, they might conceivably be on Rs. 900 8-Yes, they might conceivably be on Rs. 500, but I do not remember an instance. It would depend upon the seniority of the man in the general list. He draw his pay as Assistant Collector. The work he does is work of a very superior nature. As a genterin tale, efter he has he a little Criminal experience he is appointed Additional Sessions Judge and has the power of passing sentences of death. My own Assistant can pass a sentence of death, and his pay is certainly under Rs. 1,000 a month. In one instance ama in that position is drawing Rs 706. I meeticen that precibilly as I wish to key before the Commission that there are, as a matter of flact.

ingly. 27631. They exercise both Criminal and Civil. 27631. They are first appointed to exercise Civil power culy and receive a training of six months in trying small suits, and they are then appointed Assistant Sessions Indiges which gives them power to pass a sentence of seven years, and if they do approved work they are given powers of life and death. They are also given Civil Appellate powers. My own Assistant has powers of a Civil Appellate dugle and the powers of an Advis Apple Civil Appellate Powers of an Advis Apple Civil Apple Civi

tional Sessions Judge.

27082. In what way do they differ from the Sessions Judge?—The Additional Sessions Judge has powers under the Criminal Procedure Code which permit of his passing any sentence attention of the service of the service of the law.

authorised by Law.
27633. He occupies a double capacity?—Yes,
he does both Civil and Criminal work.

27694. Would you say there is nown for more appointments of this character in the Presidency —I should say there was proteinly room for more, but that would entail an enquiry into the Jadicial work in each district. I can only speak for my own district where I have an Assistant. These who know the conditions and hort far the work is in arrear in certain districts would be able to narwor that question more specifically. I know then is a shortage of Assistant Judges, generally speaking, and I had some difficulty in getting one myself.

27085. I take it the advantage of these Assistant Judges is that they can be appointed without any readjustment of district boundrises. That is so. My Assistant, for instance, takes those cases which I send to him for trial. The cases are filed in my Court and I distribute the work between him and myself. I file went away tonserrow it would make no difference to the Judsical work of the district except that I should have to do it all. It does not after the work in any way. He is a kind of personal Assistant mere than anything else.

27686. For how many years has this class of appointment been in existence in Bombay?-

Ever since I have been in the Service. The first judicial appointment I held was that of an Assistant Judge.

27687. I suppose the existence of the Assistant Judge makes the question of promotion even more difficult?—Yes, I magine it does.

27688. Do you know any way in which that could be got over?—If these were made superior appointments carrying superior pay, as they should be, it would tend to do away to a certain extent with the block in promotion.

27680. I take it that a salary of He. 2000 is not an excessive salary for an officer who decharges the responsible work you have described?—I consider it a very low and ina legants salary. I should say Rs. 1,000 was the minimum.

27690. There is no Assistant Judge receiving Bs. 1,000 now?—16 do not think be could receive Rs. 1,000. He is only Assistant Collector and the graded pay is Rs. 500, Rs. 700, and Rs. 200, Fs that unless he were acting as District Judge he could not receive more than 1s. 700.

27691. Would you say that the pay of the Judicial Branch required any impovement?-In my opinion the rates of pay in the Judicial Department, both in the superior and in the Subordinate Service, require reconsideration and re-adjustment -. The rates of pay in this Presidency are lower in both Services than in any other Presidency in India. I can cite figures in support of that. The average pay of a District Judge in Eastern Beneal and Assam, which is the last paid Province in this repect in India, is Rv. 2,324 a month; the average pay in Bombay is Rs. 2,022, which represents a difference of £200 sterling per annum, and so far as I am aware there is no justification for that differential treatment. I should also like to point out that the average salary of a District Judge in this Presidency is now less than it was 40 years ago Taking the average salary drawn by District Judges, in the year 1808 at was Rs. 2,263 and in the present year it is He. 20.00; that is to say, in 40 years, in spite of the rise in the cost of living, the pay drawn by Di-triet Judges has fallen to that extent. The conditionas regards the Subordinate Judicial Service present very much the same feature. The pay of the Sub-Judges in 1869 was Rs. 337 a month, and in the present year it is Rs. 314, and they have lot three superior appointments, Judges of the Small Causes Court, which were open to them, and the pay of two similar appointments has been sub-tantially reduced. Speaking all round, the pay of the Judicial Department in this Presidency is not only less than it is anywhere else in India but less than it used to be in the Presidency itself.

27692. Is promotion through the grades very slow?—My own promotion was very rapid but the promotion at the present time is likely to be extremely slow. The promotion of Subordinate Judges is, on the whole, too slow.

27693. Speaking generally, which would you prefer to see, a regarding or the introduction of a time-scale !—I have no knowledge of the working of a time-scale, but on the whole I am in favour of regrading and not of a time-scale. I cannot say I am in a position really to give a considered opinion on that. The prior I much to make is that some improvement is necessary, but I could not express a definite option between a time-scale and tegrading.

Continued.

27694. You see room for improvement as

regards grading?—Certainly. I think the Judi-

cial work is under-paid.

27695. You are not prepared to speak with any knowledge on the merits or demerits of a time-scale?—No, I am not. It is not a matter which I have had any experience.

on which I have had any experience. 27696. Speaking generally, it would remove a great many of the grievances, would it not?—

Yes.

27697. You would get an automatic increase of pay right through the grades?—In the lower grades it would probably be a satisfactory officion. I should like in connection with the subject to point cut that in 1824 the Indian Law Commission specifically recommended that the Julicial Department should be the most luxarity Branch of the Service, which is certainly not the

27698. The unfavourable averages which you have quoted are due to the increased numbers in the lower grades, are they not ?—I have not worked out the floures except as regards the averages.

out the fource except as regards the overages. 276993. The responsibility of the work that each officer discharges is the same, is it not, whether he is in the first or fourth grads?— Exactly. We have three grades of Dhirtis Jodges and each grade does exactly the same work and has exactly the same yower and responsibilities. 27700. (67 Marray Hammick.) I suppose in

27700. (Sir Marray Hammick.) I suppose in any case if you had a time-scale you would have one man doing exactly, similar work to his neighbour and drawing perhaps Rs. 300 or Rs. 400

more.

27701. That would be an objection to a time-scale. A time sight the pay capit to be grade according to that work done. You would not suggest that all your Sessions Judges should be paid the same f—No, I would not, but I should say there should be a minimum substantial remuceration for the responsibilities of the peet.

27702. The minimum pay for a District and Sessions Judge is Rs. 1,800, is it not?—Yes

27703. You do not think that is sufficient?—
I think that is sufficient possibly as a beginning, but I think a man should be able to rise to a higher rate of pay than he can at present.

27704. You would like to see a higher grade than the first grade Sessions Judge on Re. 2,500?—Certainly. I should like to see the

Bengal rates.

27705. In Bengal it was said that they required extra rates because it was a bad Province to live in ?—Ours are the worst in India.

27706. I cannot criticis your statement that Bombay is worse paid than other Presidences, but I always though it was rather the other way. Taking your answers to questions (9) and (10) I see you do not propose to increase the Indian element in the Indum Civil Service at all ?—No.

27707. But do not you think that from the political point of view it is very advisable to do something to meet the universal request which is made throughout India by the articulate classes that they want further representation in the upper Services of this country !—I blink that is so.

27708. How would you be prepared to inset that?—By reducing from time to time the number of appointments held by the Indian Civil Service and filling them in other ways, while keeping the Indian Civil Service as a distinct Service, recruited as at present.

27709. You would meet it by listing more appointments?—Yes.

"27710. Would you expect the Government to take men outside the Provincial Civil Service and put them into these appointments, or would you confine it to the Provincial Civil Service ?—I should be inclined to confine it to the Provincial Civil Service, but not absolutely rigrilly I would give Government power to make an appointment.

from outside if they wished.

27711. We have been told in several places that there are very large classes of men who will not take appointments in the Provincial Civil Service as it is considered an inferior Service, but who have a desire, a more or less landatory desire, to serve their country in the upper Services. How would you afford them the opportunities they ask for !—The question is an extremely difficult one. It is a choice of evils. I do not see how you can by any system make men members of the Indian Civil Service except by recruiting them in the same manner and under the same conditions as the Indian Civil Service is recruited. Anyone who is appointed in any other manner to that Service will be always a kind of excrescence on the Service and will not be really a member of the Service at all, although he may appear to be so on paper.

27712. There are certain Provinces in India where the upper Service is recruited in two or three different ways. For instance, in Burma, you have Army men and men taken from outside and men brought in either from the Provincial Civil Service or from outside altogether. We were told there that once these men were in the Service and had worked together for a certain number of years the fact that they came in by different methods of recruitment made absolutely no difference. Do not you think the same thing would happen here if you recruited the Civil Service in a way different from the competitive examination? If you appointed a man outside to be an Assistant Collector and allowed him to rise to be an Additional Judge and then a Judge, do not you think that at the end of a very few years, if the man was able and doing his work honourably as a member of the Government, he would have exactly the same honour attached to him as attached to his brethren who were recruited by the competitive examination at home?-I should be inclined to doubt it.

27713. Then how do you account for a Service like the Burma Commission, where there are a great many people who come in from outside and hold exactly the same position as members of the Civil Service?—I know nothing about the

conditions of Burma.

2771-4. You have had a case in Sind, when men were mentioud until quite recently from outside the Civil Service. The man who is at present at the head of the Port Trest was not a civilian and took his position in the Commission in Sind in caselly the same way, as far as bonour and respect goos, as his fellow civilians in the Service Tribosappointments were recruited from England I believe.

27715. But you do not think it is possible that recruiting an Indian in that way would give him the same respect as the Indian who was recruited by the competition at home?—It is very difficult to answer a question of that cost; it is difficult to asy how such a man would be regarded by the public, but I do say be would not be a member of the Indian Civil Service. 27716. But he night be a member of a Commission. If you afford the titles of these Services and had a Commission instead of an Indian Civil Service, do not you think a man of that sort would come in as a member of the Commission with cruckly the same rights as another member who was recruited through the Civil Service I—I do

not think he would stand on quite the same footing. 27717. I did not quite understand the point on were making about Assistant Judges not being listed appointments. Do you want Sub-Judges to be put in directly as Additional Judges?—At present the Subordinate Judges are a very deserving and hard-working class of officers, whose prospects are not very good, and at present in the majority of cases a man is taken from the junior ranks of the Subordinate Judges and made Assistant Judge and put in a separate list and in the course of time he goes from that to one of the three listed judgeships. The result is that all the members of the Subordinate Judicial Service above him in the list are extremely disappointed and feel that having been superseded they have nothing further to look forward to in their own line. I want if possible to do something for the Suberdinate Judges, and instead of that system I think it would be far better to increase the number of District Judgeships and recruit them, possibly not invariably, from Subordinate Judges of somewhat senior standing who have done approved Judicial work.

2771S. The system of yours is open to the objection which has been nised in some other Presidencies, that then the District. Judges would be seady men to the Schordinste Judges!—That could be methy imposing an age luint, by saying that after a man had attained the age of 40 ft he had not shown the capacity meessary for an appointment of that kind he would have to be content with a Schordinste Judgeshut.

27719. If you did that you rould have exactly what you complained to how, Junits' Schordingto Undege rut into fisted posts over the heads of a great many of their seniors, who would grumble ?—Met so many as a present. You would have a most a later stage. Now the man goes to an Assistant Judgeship and to a District Judgeship as a matter of curses at an early stage.

97720. Are these posts of Assistant Judgechips not held to be past of training? Do they never each ame bard again to the Oblochimator Judgeship if he is found not to turn out well as an Assistant Judge-Jud on the well of any instance. I think the like is that the Assistant Judge-kin is an appointment that belonged to the Indian Civil Service but now it has been taken away in becurs a likest appointment open to the Provincial Civil Service.

27721. With regard to the question of training at home, you would like to see the present age retained, on the whole?—Yes.

27722. And no probation?—No probation. 27723. That is on the ground that most of the men who go up for the open competition have

the mest who go up not ne open competitions have already passed through the University?—Tex. 27726. And you place great importance on the University training—The very greatest importance at the University training—The very greatest importance at the University training? These was a great many men who come into the Serrice who have never see the University but who have never see the University but who have never see the University but who have intend out to be most ensistent members of the Serrice 3—the the result of many years" experiments.

ence and the training which I went through myself. The most valuable part of it to me was residence of two years at Oxford. The special training was of comparatively little value,

27736. You admit that the special training you got at Oxford was as far as India was concerned practically wasted?—There were one or two good things in it. I do not say it was entirely wasted, but a great deal of it was wasted.

27727. What would you say to reducing the age and having a special institution in which to train both Indians and Buropeans?—I am not in payour of a special institution.

27728. On what ground?—For the same reason that I regard the residence at an English University as extremely valuable, far more valuable than residence at a special institution where you would get a more of a special institution where you would get a more of a special institution where you would get a more of the sam

ST793. Supposing the two years' training at home were really made years of serious training, as I believe they used to be, and the condition was made to go through a certain number of lectures made to go through a certain number of lectures on the principles of Law, and had to attend faur Courts and take noise of cases, learn a language more or less thoroughly as far as Grammar goes, learn Economics, especially with reference to this country, Indian History, and Indian Sociology, do not you think a course of that sort would be probably much more profitable to a candidate coming out here than going round a district with no particular work to do, with no examinations in view except the Codes and language examinations, and with a Collector who had very little time to give much attention to him?-It might be made more profitable. The course which you sketch is the course which I went through myself, and when I say that the time was largely wasted I am referring to the manner in which these subjects were taught and only partly to the subjects them selves. It would be possible to devise a two years' course that would be extremely useful. If that were done you would have to reduce the age. I do not know that I have a very strong opinion as between the school leaving age and the Universityleaving age; there is a good deal to be said on both sides; but on the whole, I incline to the latter. I think a University education is more valuable than a special training.

27720. Do not you think that a man coming out to this country with nothing dentite to do for the first year of his service, with no responsible work, with very little supervision, and with very small year, recold be likely to water his time?—I do not think that is what men do. They have reachedly a year's training for which they are rankly responsible betweeners, and I do not think that the arrange man waters his time. Of course the Collecter streams as certain amount of supervision, but naturally a great deal is left to the man himself.

27931. With regard to the enchroments of the Service, the Assistant Colletor on arrival in this country there Rs. 400 a month. In there a system in Bombay in which he is given an advance from Government when he arrives [-4] faink so, but I am not certain. I think he can draw Rs. 1,000 on returning from furthing the can draw Rs. 1,000 on returning from furthing hexage. There does it myself.

92

Bombay ?- Yes; he can get an advance of Rs. 800. for the purchase of tents.

27733. And he has to buy himself a horse?-Yes: 27734. And if he is in a hig station probably.

a trap ?—Yes.

27735, May we take it that the result is that he finds it extremely difficult to live on the halance of his pay for the first two years of his service?— Yes, he gets into debt very often, and cannot help

27736. Do you agree with the witnesses who say that one of the special things we ought to recommend is an increase in the pay of the Assistant Collector when he arrives?-I should be

prepared to support that.
27737. Do you think that is an important matter from the point of view of keeping up the popularity of the Service?—Yes, I think the initial pay has a very great deal to do with the popularity of the Service amongst candidates, If a man knows he is going to get Rs. 500 a month he thinks much more of the Service than if he is only going to get Rs. 400. 27738. Would you be in favour of giving up

the contribution to the Pension Fund and slightly. reducing the pension ?-I am afraid I could not give information on that without considering it.

27789. At present you contribute 4 per cent. to the fund, and it is doubtful how much of the. pension that represents. A suggestion has been made to us that it would be a very popular thing to give up that contribution, even at the cost of a somewhat smaller pension, say £300 a year. Do you think that the £1,000 a year pension is a. you think has the allow a year pension is a great factor at home in attracting men to the Service 2—Certainly, I should think it a great attraction; a pension of £1,000 is something substantial.

27740: You would hesitate a great deal to reduce it ?- I should. It is said roughly that we pay half our own pensions, but I do not know ether that is true or not.

27741. With regard to furlough-pay, do you think the rules fall very hard on a civilian? - No,

not in my experience.

27742. I suppose most people look forward to spending more than their furlough pay when on furlough and save beforehand for that purpose?-Yes, and most men come out from their furlough

in debt.

But you do not think that is a matter about which they need gramble?—I think that is, to be met by revising the rates of pey rather than by revising the rates of furlough allowance. I do not think the pay is adequate; it does not permit a man to save at present, 27744. You would not recommend larger

allowances for furlough and continuing the present rates of pay ?- No, I should prefer to revise the

rates of pay in the Service. 27745. Would you be at all in favour of a rule which would compel a man to take his month's privilege leave every year?—That point has not occurred to me. I do not know what the object of the rule is,

27748. The idea is that it would benefit most officers if they were compelled to take privilege leave every year?—That would prevent a man taking combined leave.

27747. Yes, and in compensation for that it has been suggested that he might take six menths'

27732. Has he to supply himself with tents in , furlough on higher pay. Do you think it is every year ?-I think in this Presidency it depends entirely on the station he happens to be in. Thereare certain of our stations in which it is quite unnecessary.

27748. As a Sessions Judge you get a recess each year?—Yes, six weeks, but that is only a. Civil Court's racation. We get no Criminal Court

How much of that are you obliged to 27749. spend in the station? -I can take the whole of if, provided I make arrangements for Criminal work.

27750. Are you generally able to get away for six weeks ?-Not unless I have an Assistant. If I have an Assistant I can take the full six. weeks. Occasionally it is possible to arrange with a neighbouring Sessions Judge to take one's work. In the heavy Oriminal districts it is extremely difficult to avail oneself of a vacation. 27751. The Sessions Judges in Bombay are

never able to get to England for a recess ?- I have never known a man do it. I thought of it myself, but I abandoned the idea, as it is only six weeks.

27752. (Mr. Madge.) Will it be a correct inference to draw from your entire approval of the existing competitive system for Englishmen to say that you do not share the opinion beld in . some quarters that there has been a deterioration in the type of young Englishmen coming out into the Service?—I have seen no deterioration.

27753. I understood you to say that you would confine the recruitment of Indians for the higher Services mainly if not entirely to the Provincial

Service ?-Yes.

27754. On the ground that you would have tried men and so dispense with an unknown quantity ?-Yes, that is partly my view.

27755. You would also increase the number of listed appointments?—Yes.
27756. Do you think that that would re-not

upon the attractiveness of the Service at home if any considerable number of appointments were reduced?-If a considerable number of appointments were reduced no doubt it would tend to render the Service at home less popular

27757. There is a movement at present as far as possible to increase the Indian element in the Service, so far as we can get efficiency at the sametime, and if the number of listed appointments were: increased there would need to be a corresponding reduction in the number of appointments fromhome?—Yes.

27758. Do you think that would re-act on the attractive character of the Service ?- Not within any limits that I have in contemplation at

27759. Do you think that in the earlier years. of a civilian's career in the country, during which he exercises both magisterial and executive functions, he acquires a valuable experience that is of use to him afterwards even on the Bench?-I regard it. as perhaps the most valuable part of the training of a District Judge.

27760. You would think it indispensable? Almost indispensable.

27761. In that case you would not think that a Barrister who would accept a Judgeship would have by his experience of simply cross-examining witnesses acquired an experience at all comparable to that of a civilian?—No. I should say the experience acquired by a Barrister who would be

continued.

at all likely to take a District Judgeship is not comparable to the experience acquired by a civilian

in doing Executive work.

(Mr. Macdonald.) I am not sure whether I heard you rightly that you do not think the number of Indians in the Service should be increased ?-That is not exactly what I meant. In order to provide for the higher appointments for the Indians the number of appointments in the Indian Civil Service should be from time to time reduced and those appointments given to Indians by some other method. That is my general scheme. 27763. Supposing there was a considerable

increase in the number of successful Indian candidates in England, would you think it necessary to take any steps to protect the European minimum?-I certainly should.

minimum — certainly should. 27765. Would you limit the entrance of Indians?—Yes. 27765. Are you aware that that would be

contrary to Statute and the Queen's Proclama-tion?-I am not prepared to interpret a Statute without reference to the Statute itself. 27766. Did not the point occur to you ?- The

point has not occurred to me. Statutory interpretation is a matter of some difficulty and opinions are likely to be various.

27767. But the point did not occur to you?-

27768. You say in your answer to question (3) that no doubt the Home Civil Service is as a matter of fact more attractive now than the Indian Civil Service. Is that because there are better openings at home or because the Indian Service is itself deteriorating in the estimation of pes-sible candidates?—I think it is due to a large number of causes. First, that prospects at home are on the whole better considering that men live in their own country and in their own climate, and that the rates of pay we now get in India were fixed very many years ago, and, therefore, the pay is less valuable than it used to be; secondly I think that the Service in India does not possess the same amenities that it possessed 20 years ago when I first came to the country.

27769. Supposing the reforms Sir Murray Hammick mentioned were carried out, that pay was improved, furlough put on a better footing, and other matters reformed, do you think that would materially improve the reputation of the Service ?—Undoubtedly it would. 27770. You think that more men who have

had experience here would commend the Sorvice than do so now !- I should say so.

27771. You do not think that the difficulty is deeper-seated than that?-I do not think the pay is the sole cause, but I think it is a very considerable cause, and that an improvement in the pay would be sufficient to outweigh the other difficulties that men now feel.

We can make up our minds that if we 27772. recommend these things we would materially improve the status of the Service so far as the estimation of the men in it is concerned ?-Yes, There are so many causes at work that it is very

Afficient to tie it down to any one thing.

27773. I am not quite sure that I have a
grip of what is in your mind about the Universities
and prohetien. Do you say that your two years
at Oxford were very valuable to you?—Yea.

But of no value from the point of view of the work you were going to do in India?—Not as a special training, but as a general education of the greatest possible value.

27775. You mean that a residence of two ears at Oxford or Cambridge, although it does not improve your knowledge at all of the special subjects you will have to deal with out here. makes you a better administrator?-I am sure it does. It gives you a wider outlook on things, The most valuable part of it is the friction of mind on mind which you get at a University.

27776. Is there so much friction between mind

and mind at Universities?-Certainly.

27777. That is your experience?-Certainly, You meet able young men of every class and ever community, and discuss every conceivable subject in the world, perhaps with too little reverence, but you do discuss them, and it is most valuable.

27778. You are not at all sensible of a narrowing rather than a widening?-Quite the reverse, 27779. A sort of class consciousness? - No.

27780. No superiority?—Nothing of the sort.
27781. No stamping too deeply the English character so that when you came out here you could not accommodate yourself to the new station of life ?- Not in the least.

27782. You do not think that a university training at a late age instead of widening the mind really narrows it, more particularly when it has to go into new circumstances as soon as it leaves the University?—I spent only two years at the University between the ages of 19 and 21, and my experience was that it was a widening of the mind and not a narrowing of it.

27788. It was simply from that point of view that you found it useful ?—Yes.

27784. Can you conceive of a training of a special character that might improve the officers when they come out here?—My objection to the special training is exactly the objection you suggest

to the University, that it has a narrowing effect.

27786. Do you take the view that the
attempt to make an expert is a narrowing undertaking ?- Not if you super-impose it on a finished education, but you must have a finished education first.
27786. You do not think it could be super-

imposed on a good general education such as you get at a secondary school or public school ?- I have

no experience of a secondary school. 27787. What school did you come from to

Oxford ?-I was educated abroad.

27788. Your experience is not that of an English public school or a secondary school boy?-No, I was never at an English School. 27789. In that respect your experience is a

little bit special?—Yes, probably it is.
27790. (Mr. Siy.) In answer to question (13)
you have given an opinion against direct recruitment for the Judicial Service and that opinion is largely based on the fact that officers separately recruited

once on the lact that omeers separately recruited would not have an intimate knowledge of the country?—Yes. 27791. In giving that answer I suppose it referred primarily to the recruitment of Europeans for the Judicial Service?—I was thinking of Europeans.

27792. The same objection does not apply to the same extent to the recruitment of Indians for the Judicial Service, does it?-No, not to the same extent.

27793. Do you think that the recruitment of Indians from the Indian Bar for the Judicial Service would have to any extent the defect which

continued.

you have painted out?-In this Presidency it depends rather on what portion of the Bar your attention is directed to. We have Barristers, High Court Pleaders, and District Court Pleaders, and I am not sure whether you contemplate recruitment from all three classes.

27794. Taking the three classes what do you say?-The Barrister whose practice is mainly in the Presidency town has not got that intimate knowledge of the country which in my opinion a District Judge should possess. He is usually an District study state has spend a great many years in his education at a large centre and has then read at home for the Bar. Probably, the High Court Vakil has quite as intimate a knowledge of the country as the Indian Civilian in the majority of cases, and the District Court Vakil certainly has, but I consider him out of the question on other grounds; he has not got the necessary ability in my opinion.

27795. Do you think it would be practicable to recruit the European portion of the Judicial Service from European Barristers practising in India?—No, I do not think it would; I do not think you would get the men to take the appointments. The only place where we have European Barristers practising in this Presidency is Bombay and no successful Barrister would look at a District Judgeship, and we do not want to get the unsue-

cersful Barrister.

27796. Did you undergo any special course of training in Law in England?—I underwent the course of training prescribed in the two years I was at Oxford.

27797. I mean a special course?-No special

course outside that.

27798. You say that if it is found necessary to maintain the present age limits you would abolish the period of probation altegether in England, and would simply substitute for it the present system of training in India ?-Yes.

27799. Do you think it would be possible to combine in this Presidency something of a course which would cover at least part of that now given on probation in England as well as the training in India, a system under which an officer would be posted to a district for the first eight months, say, of his service, and undergo the ordinary district training under a selected Collec-tor, and then for four months in the hot weather or the rains all the probationers should be collected in one centre and given special courses of instruction in languages and Law?—I thought a good deal In languages and law i-1 enough a grown about that possibility, but I have not yet hit upon any satisfactory scheme. There is a great-difficulty in language for one thing. We have four culty in language for one thing. vernaculars in this Presidency.

27800. How does that present a greater diffi-culty than it does at the present time?—You propose to collect these people in one centre and the centre would be one in which only one of the four languages would be spoken. It would be rather a handicap to a man, say, in Sind, to undergo part of his training in Poona where the language is Maráthi. I think the language must be learned in the amount of the state of t

in the country where it is spoken, 27801. If he had a Sindi Professor?—I doubt if instruction outside the country in which the language is spoken is so valuable as in the country where you have it spoken all around you every day. That is the main difficulty I have with regard to a

scheme of that kind.

27802. You also say there is no lack of adequate teachers of language in districts ?- None. 27803. We have had some evidence to the

effect that in most districts in some parts of India it is practically impossible to get a teacher in the sense of a trained teacher of languages, a man who is acquainted with the methods of teaching ?-I do not see why there should be any difficulty as long as the men are sent to fairly large centres, Poona, for instance.

Who are the classes of teachers that 27804. on are referring to?-I have usually gone to the Local High School and taken a master from that.

27805. And you have found him quite satisfactory as a teacher? - Quite so, quite satisfactory as a teacher of Indian languages to a European 27806. It has been stated that an Indian Pro-

fessor is not so suitable for teaching languages to a European, because he does not understand the European standard and is unable to compare the difficulties of grammar with those of Latin and Greek or the modern languages with which Englishmen are more or less familiar, and, therefore, he is heavily handicapped. Do you think there is anything in that objection?—I think there is very little in it, and it is outweighed by the advantage of learning the language in the country where it is snoken

27807. You have referred to the poor prospects of the Judicial Branch of the Service in Bombay ; can you tell us whether as a matter of fact those poor prospects have led to any difficulties in the European recruitment of that Service ?- Yes, in the past they certainly have. When I first entered the department it was extremely difficult to get any men to enter at all. In fact I myself and certain other Assistant Collectors were placed in the Judicial Department without our wishes being consulted.

27808. What is the present position?—As regards the superior appointments, the present position is that the Executive Branch of the

Service is very much better off.

27803. Is it or is it not as a matter of fact difficult at the present time to induce officers to select the Judicial Branch of the Service ?-I am afraid I cannot answer that question because I do not know.

27810. In regard to the recruitment of the Judicial Branch of the Provincial Service, you have suggested that certain ministerial appointments which qualify at present under the rules should be omitted. Can you tell us why you think it desirable that that source of recruitment should be stopped?—I have two grounds. The appointments that I have mentioned specifically, the Núzir and Head-olerkship in a District Court, are not appointments in which any Judicial knowledge whatever is necessary. No judicial functions are discharged by the holders of those appointments, who are practically vegetating there, forgetting their knowledge of Law and growing rusty; and also, a minor consideration perhaps, they absorb all the best paid appointments open to the Subordinate Service, the clerical establishment.

nate Service, the clerical establishment.
27811. As a uniter of fine to or you consider
that these ministerial appointments are a suitshle training for a Subordinate Judge at all?—
No, I do not. The appointment that is a suitable
training for a Subordinate Judge is the appointment of Sustrainfalf to a District Judge,
and the helder of that appointment is in a position
in a fairly hour District Court presided over by a
competent District Judge, to get a sound know-

-Mr. L. C. CRUND.

Continued.

ledge of principles and the way in which cases should be decided.

27S12. Does he do any actual legal work?—

27012. Does no do any actual legal work?— No, he does no legal work. His dubles as Clerk of the Court are purely formal. 27813. You would like to see this recruitment

27S13. You would like to see this remultiment from the ministrial Branch of the Service wholly stopped?—With the exception of the Sherishtalfe to the District Jodge. I would retain that because I think on the whole it is attractle and extending useful to be able to get superior men to hold those appointments for a short time. I has a very good effect on the establishment as a whole, and I think it is an adequate qualification. But, in other respects, I would do away with these qualifying appointments. 27S11. Day one know whether this system of

27814. Do you know whether this system of recruitment is fablened in any other Province of India?—No, I am not aware of it. These remarks are entirely with regard to appointments in the District Court. Three are certain other appointments as to which I would not express any opinion. There are two qualifying appointments in the office of the Legal Remembrancer, which I held myself, and those were of a much higher nature from the point of view of qualification.

27815, Can you say anything about the appointment of the salaried interpreter?—I have no knowledge about that. I think it must refer to the High Court.

27816. (Mr. Chendal), Am I correctly giving the substance of your nawers up to question (13) if I sum up your evidence in this way? You are against a simultaneous examination and against a separate enamination, and there is a certain irreducible minimum of the Buropean element in the Service which you would guant from encoundment, and you think that such larger employment of Indians as may from time to time be expellent, should be attained by adding to the number of listed pasts by promotion from the Provincial Service?—Yes.

2781T. Now, going into the details of this, I want to know whether your great anxiety is to maintain the English element of the administration or the English element of the eleministration or the English element of the eleministration. In your answer to question (3) you use the two expressions addifferent times. You say: "that two expressions addifferent times. You say: "that two expressions addifferent times. You say: "the character is the administration," and lower down you say: "the objection is at present theoration only and until it is fround that there is any probability of the English element in the Indian Civil Service being seriously release." If want to know whether your anxiety is that the English clearacter of the administration should not be disturbed or whether the English element in the Service should not be disturbed. The English character of the administration is what I have in what

2781S. It would logically follow that if by any process you obtained Indian Servants fitted to maintain the Boglish character of the Service there would be no objection to them, even if they came in in larger numbers?—Granting your assumption there would be no objection.

27819. The men, for instance, who at present reads for a certain number of years in England and study there, and go up for the competitive examination, and come cut to India, do they try and maintain the English character of the administration?—It you mean the successful Indian candidates for the Indian Civil Service I should say "Yes".

27830. If you held a simultaneous or spande cramination in Jodin, and sent the successful conditates to a University to study for three years, do you think the type of ladina that would return after that time would be exposed to come up to the same standard of efficiency as the present Ladina Civilian passing through the competitive door?—I would rather not use the word "standard" if you do not mind; I would say that I do not think on the average such men would be in as good a position to maintain the Heglish chanceter of the administration as Englishmen checked in Beginnia.

27821. I am speaking about the Indian educated in England as at present. A bright and intelligent boy, whose parents see some promise in him and intend from the first that he should be an Indian Civil Servant, takes his degree of B.A. here and they send him home and he remains there for three or four years at a University, takes a diploma, attends lectures in Law, passes the competitive examination, and comes out here as an Indian Civil Servant. Would not the Indian who passed the simultaneous examination or separate examination in India, and then resided in England for three or four years before taking his dogree at an English University, come up to the standard of the Indian Civilian, the only difference being that one goes in order to have a chance of being successful the other goes after he has got through the examination here?-The one goes earlier than the other and the earlier years of a man's life are obviously the most impressionable.

27822. There would be that difference no doubt, but I am referring to his being capable of maintaining the English character of the administration in India. Would be not do that in the same degree as the other I—I should say prihaps in a slightly less degree, inasmuch as he has not had the same European training.

27823. Am I correct in gathering from your asswer to question (9) that in order that there should be no prependenting majority of any one section in the Indian Civil Service there should be if possible Civil Servants from different sections of different communities?—I think that consideration is one which has to be borne in mind so far as is consistent with efficiency.

27824. Am I right in supposing that the principal element of difference between an Indian of liberal elements and an Ringlishman of liberal elements nearthing in this country in the I. C. S. is that the Indian is any to lare a sort of class his and sectional favouritism I.—I do not think the best element Indians have any very appreciable class his of favouritism.

27835. If you get a prepor leading majority belonging to that class you refer to, those who have got over all sense of class him and sectional favoranism, would you object to the employment of such men even in large numbers in this country?

—If you refer to my answer you will see that my objection was rather based upon the between the public than upon the qualifications of the men themselves. I say that the prepondexing majority would not command the confidence of all sections of the community.

sections of the community.

27826. But that is a thing the Indian Civil
Servant cannot help. If there is nothing defective about him and he is likely to strike the people

Mr. L. C. CRUMP.

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as being otherwise, that is not a thing he is responsible for ?—It is his misfortune. \$782?. Fundly spaning, do you suppose that that sort of feeling does not oftain even in the Rungram part of the Civil Service!—I do not think so. The interests of the Buropean part of the Civil Service are very small as compared with that of an Indian gentleman holding high offices, and there is not the same ground for that want of confidence.

27858. Take, for instance, the trial of a Buropean by a European with a European Lury does not that raise the same sort of hatred in the Indian mind as it raises in your mind about an Indian Civil Servant F.—I think we are troses purposes. There is no "hatred" in my mind about any Indian Civil Servant.

27829. What I mean is that the Indian in high office is supposed by the people to be liable to exhibit class bias and sectional favouritism?—That

exhibit

96

3rd March 1913.7

27830. And you admitted that so far as the individual himself is concerned be is perhaps free

from it?—Yes.

27881. But the people do not give him credit

for that f—That is so. 27832. Is not much the same cort of feeling to be found in the instance that I gave you?— That may be so, but the consists on which it can arise in the case of a European Gilder are extensely rare. Taking an ordinary District, such as that in which I am own serving, such occasions in the case of a European officer cannot conceivably arise or arise only one, in them't were.

or arise only once in twenty years. 27833. I can quite conceive the occasions must be very rare?—Yes, and it is an everyday occurrence in the case of the Indian gentleman holding

high office.

27834. Therefore, the Indian has to work under more difficult circumstances than the Englishman ?—Yes. Every European officer admits that and makes all wances for it if he is a wise man.

27835. With regard to your answer to question (18), you conside an intinste knowledge of the country and the people to be a very important factor in the equipment of a District and Sessions Judge ?—Yes. The question is directed to the recruitment of the Judicial branch of the Indian

Girl Service.

27836. I gather from your replies to Mr. Sly
that the recruitment would be almost as good if it
were suggested that any portion of the District
and Senious Judgeships in this Presidency should be
given to punctioners who have that knowledge
of the country and the people. Supposing it is
proposed that District and Sessions Judges or may
portion of them should be recruited from each
placeders as leave practiced in the mufassal, both
in Chimian and Civil Courts, what would be the
objection to that recruitment. For Generally speaking, the objection to that recruitment is that the
pleaders passing in the District Courts have
not sufficiently when the control of

"27837. I am not speaking of the persons actually panetising. There are severall pleeders in the High Court who practises there and also appear frequently in the Mańaszel Court in Criminal and Gvil cases. Would that class of pleeder "not be quite as satisfactory material for drawing upon for District and Sessions Judge F—I handle prefer to recruit as at present from the Provincial Service.

27838. I do not exclude that. Supposing it were suggested that a portion of the District Judgeshiya in the Presidency should be remited from this body I am speaking of, would you suggest any objections to such a course I—I am not quite clear what possible source of recruitment you are comparing these supposed andidates with.

27889. I want to suggest meteral for recruitment for filling the period of District and Sessions Judges in the Presidency. We have persons who have taken the I. C. S. cramination and have had excitain experience of Executive work for a number of years; that is one meteral, and I say utilise that material. But at the same time supposing its suggested that a prection of these peets should be also recruited from persons of the class I speak of, what would you say?—I do not think they would make such good District Judges as members of the Lodinn Civil Service.

27840. May I know why?—I think the examination that a man has to pass for the High Court Pleadership is not as high a test of montal ability as the examination for the Indian Civil

Service.

27931. I quite admit that, but take the B.A. and M.A. of this University, followed by the LLB, and followed by ten years' practice of the kind I am speaking of 7-1 can only say that I have had onseiderable expenience of High Court pleaders and considerable expenience of High Court pleaders and considerable expenience of High Court pleaders and considerable experience of High Court Service, and I think, on the whole, the Givilian Judge, on the average, would be the better Judge them Tield, Curt Pleader Judge.

than a High Court Pleader Judge.

27842. Do you mean the best Civilian Judge or the average?—I mean the average. The best average Pleader might be better than the average Civilian. I was taking the average of

each.

27843. With regard to your scheme of leaving the listed posts to be gradually enlarged as might be thought expedient, who is to judge about this expediency of raising the number of listed posts?—The Executive Government.

27844. I suppose when these listed posts are directed to be filled by men from the Provincial Service that is done under the Statute of 1861?—I

believe that is the statute.

27845. Therefore such appointments could have been made from the year 1861?—There again I must ask to be allowed to refer to the statute.

27546. That is the statute which permits any person being appointed under certain circumstances to any post?—I am sorry I have not got the statute with me and I do not carry it in my head.

278-7. You may take it from me the only nuthority which Government has now for filling these posts with men from the Provincial Service is that statute. Assuming for the moment it is so, then this a thing which could have been done from 1861 — Yes, assuming that is the relevant statute.

27848. And yet are you aware that from 1861 down to 1879 no appointments were made?—I cannot say.

27849. I am only speaking to you about the risk of leaving it entirely to the Government?—My answer is that I do not know what was done before 1879.

27850. It is really giving the power to the Civil Service to say that so many of their posts shall be eliminated from the earler—It is giving power to the Excentive Covernment, which is not entirely recentled from the Civil Service.

continued.

27851. With repard to the Provincial Service in this Presidency, I think you make a grievance of the fact that it is the lowest paid service throughout India ?-Yes, speaking of the Judicial branch

27852. While in other Provinces the Provincial Service begins with Rs. 250 at the lowest, in this Presidency it begins with Rs. 150?—I am afraid I have not examined the figures; I have only examined the figures as regards the Judicial branch

27853. Then we will confine ourselves to the Judicial branch. In no part of India does the Judicial Service begin so low as Rs. 150?—I

believe that is so,

27854. Forty years back there were a few posts of Rs. 1,200 and Rs. 1,000 open to the Judicial Service and the lowest salary was

Rs. 200 ?-Yes.

27855. And after forty years the present state of the Service is that the posts of Rs. 1,200 and Rs. 1,000 have been taken away and the highest post is one of Rs. 800 only and the lowest is now Rs. 150 ?-That is so.

27856. Do you agree with me in thinking that promotion is so slow that ordinarily a man takes 20 or more years in rising from Rs. 150 to the first or second grade, i.e., Rs. 800 or Rs. 700?-It is certainly 20 years or even more I believe.

27857. He rarely comes even to the second grade before 20 years?—That is so.

27858. Until very recently the corresponding lowest grade in the Executive Provincial Service was Rs. 300, was it not?—I have not examined the figures.

27859. You refer to the practice of appointing Assistant Judges from Subordinate Judges of not very long standing, and to the disappointment which was caused thereby. Do you admit that the object of starting these listed posts was to have certain posts with higher salaries which should be incentives to the Provincial Service?-I think the idea rather was to admit the members of the Provincial Service to posts reserved for the Indian Civil Service.

27860. Am I right in thinking that when the last Public Service Commission recommended that two District Judgeships and two Collectorships from the Civil Service cadre should be left open to the Provincial Service, those places were meant as places to which members of the Provincial Service, if they proved themselves fit, could aspire?-I think so.

27861. And it was the same thing as regards the Assistant Judges and Assistant Collectors. There were three Assistant Judgeships left open and nine Assistant Collectorships ?-Yes.

27862. There is no such thing as an Assistant Collectorship in the Provincial Service, is there?-I am pretty sure there is not, but I cannot answer questions about the Revenue branch of the Service with any certainty.

27863. So that these nine Assistant Collectorships do not now retain the same importance which they had before 1886 and 1887; they have which may had before how and noor; mer have simply become so many Deputy Collectorables?— I am most willing to answer these questions, but I cannot speak for the Excentive. I am in sympathy with you but I have not the details on which to answer you.

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27864. You have seen instances of Subordinate Judges being invested with Assistant Sessions Judges' powers?-Yes.

27865. Have you heard any complaints about their not being able to do their work properly?-Yes, I have heard complaints about their not doing

their work properly.

27866. May I know the nature of the complaints?—In the case I am thinking of the complaint was that the gentleman in question refused to convict anybody in spite of the over

whelming nature of the evidence.

27887. Would that be your objection to investing Subordinate Judges with Criminal powers?-No, I have no objection to investing

selected Subordinate Judges.

27868. If Subordinate Judges are selected for being invested with these powers, would you discontinue that practice on account of the instance you have spoken of ?—I would not.

27869. So far as they have been entrusted with Criminal work they have not proved failures generally?-I know only of four instances personally.

27870. 27870. Have you any knowledge about the nature of the work done by Subordinate Judges when they are invested with Criminal powers in famine times?—I have not. I know it has been done, or they have been given magisterial powers.

27871. But you are not aware whether there have been any grievances or complaints about them?-No, I have no knowledge of that matter.

27872. (Sir Theodore Morison.) To what do you attribute the dissatisfaction, of which we have had plenty of evidence, which is felt by Indians with regard to the Statutory Service and with regard to the listed posts in the Provincial Service? The latter has been described as a parish service and we have had it urged upon us several times that they have failed to give satisfaction to Indians?—I imagine the dissatisfaction is due to the fact that they are not on the same footing as the Indian Civil Service.

27878. You have objected to their being recruited to the Indian Civil Service as such. Do not you think that any other solution of the difficulty is likely to suffer the fate that has already befallen the Statutory Service or the Provincial Civil Service, namely, that they are being described as pariah services?—I have never heard them described in these terms.

27874. That is a phrase sufficiently common on Congress platforms and I thought you must have heard of it or read of it in political literature?—It is quite possible that any other method of recruitment would be regarded with somewhat similar dissatisfaction.

27875. I rather gathered from your written answers that you are considering this question rather as a political concession than as an administrative as a purifical concession and as an administrative improvement, and I do not see that any other method would really be an effective political con-cession?—But my point really is that the thing cannot be done; there is no method of outside recruitment which can create a service which will be part of the Indian Civil Service. You may call it part of the Indian Civil Service but it cannot be so; it will be merely so in name. You might call it a mixed Commission recraited partly from the Indian Civil. Service and partly by some other method, but to lump it together under one name

Continued.

as the Indian Civil Service cannot make it the same service

27876. I quite recognise that they are not admitted by the same door, but as far as they are on the same lists and receive the same pay they are the same. Do you think the old are the same. Do you think the old P: W. D. when it was recruited from two sources was not one service ?-It was entirely recruited in England.

27877. I mean in the days when it was recruited from Cooper's Hill and Roorki simul-taneously and put on one list?—I have had no experience and, therefore, could not say. I do not think we get many men from Roorki into this

part of the world. 27878. When that service was first started it was one, the Public Works Service, although there were two methods of entrance, and I do not see the impossibility of doing the same thing for the Civil Service?-Of course the Indian Civil Service means a certain thing and has meant that thing for many years, and will continue to mean that thing Whatever other methods of recruitment are adopted.

27879. Surely, it has changed a good deal; it has meant a Haileybury man and a competition-

wallah, has it not?-It has meant a competitionwallah for fifty years anyhow.

27880. Your objection is merely one of name I understand, that you will be giving a wrong name to something which is not really the Simon Pure?—You will be calling two things by the same name which are not the same and which will not be regarded as the same in spite of your calling them the same

27881. Do you mean by the public or by the service?-Both by the public and the service.

27882. We have asked questions of that sort in places where there has been a mixed Commission, and we have found that is not the opinion. The military man has been looked upon by his brother officers and the public as quite as good as the civilian ?- I do not know much about that.

27883. (Lord Ronaldskay.) With regard to the point of the impossibility of recruiting one Service in two ways, when you say it is not possible surely you are going against experience. Is not your own Provincial Service recruited in two different ways?—I am not sure.

27884. Is not the Provincial Service recruited artly by direct selection and partly by promotion

from the Subordinate Services ?- Yes.

27885. That is two different ways?—Yes. 27886. Do you think that the man who is promoted from the Subordinate Service to the Provincial Service is regarded as being a man in a different class from the man who is nominated direct to the Provincial Service?-I really do not

27887. Have you ever heard it suggested?-I have not

27888. It is probable that if he were looked upon as a man in a different class you would have heard of it?—Yes, I certainly should have heard of it, but there again both methods of recruitment are from this country.

27889. Now you are putting it on ground of race and not on the method of recruitment?—I do not wish to put in on ground of race at all, but there is such a vast difference between the two methods of recruiting here and recruiting 8,000 miles away that the distinction is very much

greater than between the recruiting in this Presidency in two different ways,

27890. Do you think there is a fairly widespread demand on the part of educated Indians for a larger share of representation in the higher

Services?—Certainly. 27891. That demand is for admission to the

higher Service, is it not?—Admission to the higher appointments, but whether to the Service I cannot 27892

But do you think it would be satisfied: by an increase in the listed posts?-I think there will be always dissatisfaction so long as the Civil Service is separately recruited in London, 27593. Then you do not think that the

demand out here would be met by an increase in the number of listed posts?—To a large extent, but there is the sentimental crievance which will

27894. Is not the sentimental grievance the chief one ?—I think it is. 27895. If that is so, it would not be met by

an increase in the number of listed posts?-The desire for the higher appointments will be met in that way, but not the sentimental feeling.

27896. Generally speaking, do you think that the officers in the Provincial Service are drawn from the same class of men out here as the Indianswho go to England to compete for the Civil-Service Examination ?-Yes.

27897. So that, on those grounds there would be no differentiation possible between Indians who had got into the I. C. S. by means of the competi-tive examination and Indians who had got into the I. C. S. by means of promotion from the Provincial Service?-I do not want to quibble, but I: would point out that all come from different eastes and creeds. If you mean the word "class" as meaning social position they all belong more or less to the same class, but they are split up amongst themselves.

27898. But would you say that, generally speaking, the Indians who go to England to compete for the Civil Service examination are drawn from a higher strata of society than the Indians who come into the Provincial Service here? -I think not; I taink they are much the same.

These see 1 is cause and a see are uncertainty at 27890. (Mr. Hoston.) With reference to your answer to question (13), in which you speak of the growing tendency to over-rate a invovidege of law, the principal business of the Judge, principal in the sense that it is the greater part of his work, is to determine questions of fact it. Yes, and the sense that it is the greater part of his work, is to determine questions of fact it. Yes, that is especially so in a District Judge. The District Judge is the first Court of Appeal and his decisions on questions of fact are final

27900. In a Civil Appeal if he goes wrong in his facts that injustice is without remedy?-That

27901. But if he goes wrong in a question of law that can be remedied ?—Yes; there is an appeal on a point of law to the High Court.

27962. What is your view of the utility in the mufassal of the rather elaborate method of construing documents which comes naturally to a trained lawyer ?- Documents in the mufassal are not the work of trained conveyancers, they are entirely in work of trained conveyances, only see enturely in artificial, and the ordinary rules of legal interpre-tation which a trained lawyer would apply to a document drafted in England would have no application whatever.

27903. That principle, I believe, has been prononneed upon by the Privy Council ?- I believe

27304. A great deal has been said from time to time about tenehing Indian Law-I do not mean Hindu Law but Angle-Indian Law: de you see any profit in learning these Acts or portions of them by heart?—Absolutely none.

27905. But that is often done?-Yes, I believe it is done; I have done it myself, I must admit,

for the purpose of examination. 27905. The most useful thing is to know where to find what you want?- Exactly,

27907. Would it not be useful also to teach the broad general principles which are current in England and to point out where they are epitomised in our Anglo-Indian Acts?—Yes, training on such lines would be extremely useful.

27908. With regard to the pensions of High Court Judges, the fact that they receive a higher pension is, I believe, a considerable grievance to the Service generally?—I should not have said so.

27909. I have heard it said that it induces Judges to stay longer than they otherwise would?

 I have heard that said. 27910. And in that way it blocks promotion?-

That is felt particularly in the Judicial Department.

Many District Judges feel it.

27911. There is a distinct feeling in that

direction ?-Yes.

27912. I want to ask you a few questions about the powers of Assistant Judges. They begin by doing original work?—Yes.
27913. And whilst they are doing that they

are of really little or no assistance to the District Judge ?-They are less than no assistance; they increase his file.

27914: They are in training and not Assistant Judges in the sense of being any use to the District Judge?—They are of no use at all.

27915. But the time comes when they can be made of use?—Yes.

27916. In what way are they used ? -They are invested with Civil Appellate powers which enables them to hear appeals from all the Subordinate Courts, and they are invested with Criminal powers which enables them to try original Criminal cases. In the first instance they have the powers of the Assistant Sessions Judge and subsequently the powers of the District and Sessions Judge.

27917. Their decisions in Civil Appeals as regards matters of fact are just as final as the decisions of the District Judge?—Absolutely;

they are exactly on the same footing.
27918. So that, their responsibilities are of a high order?—They are quite of a high order.

27919. And they may also be appointed to be Joint Sessions Judges?—Yes, or Additional

Sessions Judges. 27320. In that event they may be trying the

most serious crimes, such as murder cases?—Yes. My own Assistant tries murder cases. 27021. And yet Assistant Judges are ranked in Bombay as holding inferior posts and are paid as

such ?-That is so. 27922. Do you know whether that takes place

in any other part of India ?-I am afraid I cannot say for certain.

27923. It has been said that the system of qualifying posts has broken down in practice because there were so many occupants of these posts in the Presidency that a good many of them could never possibly hope to obtain Sub-Judgeships. Is that the case?-Yes, I think that is the case. There are certainly far too many of them, far more than can obtain Sub-Judgeships in any reasonable time.

27924. On the one hand it is leading to a very great deal of discontent, and on the other it is miting the possibility of appointing practising

Pleaders?—That is so, 27925. Would you be justified in describing the net result as unworkable ?-Yes, I think that would fairly cover the net result of the system

27926. Do you know anything about the feeling amougst the Subordinate Judges with teeling amonges are superstance sunger men reference to some of the more recent appointments by Government to the post of Assistant Judge in the Provincial Service?—I think they have given expression to the discontent that has been felt by Subordinate Judges as regards these appointments, and the manner in which these appointments are made.

27927. There is a feeling of that kind?—Yes there certainly is a feeling of discontent.

27928. (Chairman.) You have said that the

existence of an Assistant Judge not only does not relieve the District Judge but adds to his work, and I should like to get that quite clear. Is not the Assistant Judge appointed in a District where the work has become so operous for the District Judge that relief is wanted?—Perhaps I was rather too technical there. When an Assistant Judge is first appointed he does original work only and the District Judge is engaged entirely in doing the Appellate Civil work; therefore on first appointment the Assistant Judge disposes of original suits on which appeals lie to the District Judge, and accordingly before the Assistant Judge gets Appellate powers he is only increasing the work of the District Judge. After he gets Appellate powers he ceases to do the other work and is assisting the District Judge.

27929. So that, on the balance a District Judge is very considerably relieved ?—After his Assistant Judge gets Appellate powers he is enormously relieved

27930. (Mr. Bhadbhade.) You said in answer to question (2) that the rules framed for the Judicial branch of the Provincial Civil Service are generally suitable. What would you think of a rule under which selections might be confined to graduates in law in the order of merit in each particular year? At present there is a great suramble for the qualifying posts, and I believe the whole of them are completely filled up, and I suppose more than three-quarters of the candisuppose more than an account of the Judges?—
That appears to be so, but I have not taken out
the figures. You are mistaken in supposing,
that all these qualified appointments are held by
candidates for Subordinate Judgeships. In practice they are not. In my own District I have only one of those posts filled by a qualifying cand

What would you think of a scheme 27981. for appointing Sub-Judges from the LL.B. graduates in each particular year?-Do you mean direct, without practice?

27932. They might be made to attend Courts of original jurisdiction for a year?—I should not approve of that suggestion. I would not cut the High Court Pleader for instance.

27933. Does not the rule say that unless a candidate is below thirty and in full and continuous practice for three years he can never get a SubSed March 1913.1

Judge's place unless he holds a qualifying post? Do you think that a Pleader who has liad full and continuous practice for three years would be eager to accept a Sub-Judge's place at a salary of Rs. 150 a month ?—I do not know.

27934. Practically this certificate is a deadletter ?-I never give a certificate of that kind without making enquiries as to the nature of the

practice.

Are you sure that the candidates have had full and continuous practice for three years?-I cannot say, as I do not know.

27936. Then the rules do require amendment

in several particulars ?—Yes

27937. (Mr. Joglekar.) In your answer to question (24) you have recommended that the lowest pay for a Subordinate Judge should be Rs. 200 and the highest Bs. 1,000. Perhaps you know that Mamlatdars have Bs. 150 and correspond to a Sub-Judge at Rs. 150?—I absolutely deny ench correspondence. There may be on paper, but I deny that there is any correspondence in point of training and point of ability required. There is no real correspondence between the two appoint-

27988. Perhaps you know that they do criminal work, magisterial work, and are travelling officers?-I am aware that Mamlatians are

magistrates.

27939. Would you recommend an increase of pay from Rs. 150 to Rs. 200 ?-I am not prepared to deal with the question of the Revenue Depart-

ment as I have not sufficient knowledge of it. 27940. (Mr. Chaubal.) With regard to the questions put to you by Mr. Justice Heaton about

the appointment of an Assistant Judge, the pay of the Assistant Judge is Rs. 500 and Rs. 500 in the Provincial Service, that is to say two-thirds of Re, 900 and two-thirds of Rs. 700?—I think that

27941. If a senior Subordinate Judge is given an Assistant Judgeship when the three District Judgeships are held by young men that Assistant Judgeships are held by young men that Assistant Judge has a chauce of remaining at Rs. 500 or Rs. 700 practically for the whole period of his Service?—That would appear to be so, but my recommendation is to do away with such appointments altogether.

27942. I am speaking of the grievances of the Service, and the discontent caused by the pay of the Assistant Judge remaining at Rs. 500 and Rs. 600 and younger men being in possession of the District Judgeships. If you take a man from the Subordinate Judge's grade of Rs. 500 or Rs. 600, the post of the Assistant Judge is no gain to him whatsoever, if he can never rise, or can only rise at the end of his Service, to a District Judgeship, because he loses his chances of the superior posts in the Subordinate Judicial Service, going up to Rs. 800 ?-That is so.

27943. Therefore, it might occasionally benecessary when you find District Judges' places are held by comparatively young men that you should recruit from a lower grade of the Subordinate Judgeship in order to make it worth his while?-It may be necessary at present rates of pay, but the better remedy would be to revise the pay.

(The witness withdrew.)

PHEROMERAH JEHANGERSHAH TALEYARKHAN, Esq., Acting District and Sessions Judge.

### Written answers relating to the Indian Civil Service.

27944 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (3) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would re-commend. In particular, do you cansider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle ?-I am not in favour of either simultaneous or separate examinations. Instead, I would make conditions more favourable for the success of Indians at the competitive examination in England. With this object, I would create at least 25 more scholarships distributed equitably over the whole of India, and see that only the best men got them: I would revise the scale of marks assigned to the various subjects in the syllabus with a view to minimise the disadvantage under which Indians have at present to labour because English is not their mother tongue and because they have little or no knowledge of other European languages: I would fix the maximum age limit for Indians higher by a year, and would give one more chance to the first five among the unsuccessful Indian candidates who would otherwise be pre-. vented by the age-limit from appearing again. As supplementary to this, I would moderately add

to the number of "listed" posts and place the holders of these posts on a footing of equality in all respects with the members of the Indian Civil Service. The test by which these men have been proved—the test of actual service—is surely in no way inferior to, and if anything is more reliable than, the examination test

27945 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose ?-I do not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service. Indian Civilians, with adequate legal training, are likely to make far better. Judges than second or third rate Barristers can be expected to do. In spite of very little preliminary legal training, some of our most dis-tinguished Judges have been Civilians, and Civilians, as a rule, make very good criminal' Judges and are first-rate administrators. I think there is a tendency to make a great deal too much of mistakes made by Givilian Judges, mostly at the beginning of their career, and to ascribe the mistakes invariably to their want of legal training, as if Judges with legal training never make mistakes. Some people do this with the best of motives and in order to strengthen their case for a reform, while others, and these belong to the legal profession, do so because they seem to derive from it a feeling of self-satisfaction in regard to their own legal attainments. The public is generally content to accept the lawyers' opinion and give it circulation. I think all that is wanted is to provide for proper lead tuning of Civilians. (i) The radiments of Law may be included as a compulsory subject in the syllatus for the competitive examination. (ii) A sufficient number of successful candidates may at the outset be selected for Judicial service and required to undergo proper legal training during the period of produstion, (iii) They may further be required to do the whole work of a Subordinate Judge for a period of one year at the outset of their judicial carreer.

27946 (104), Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?-I submit that the arrangement is objectionable in principle and unfortunate in its results. The "two-thirds" man is looked upon as a chesp and inferior brand and not the genuine article. It is one reason, I imagine, why Indian politicians decline to be put off with an addition to the number of "listed" posts. Men holding similar posts and doing similar work ought in fairness to receive equal salary. If it is considered that the European members of the Civil Service are entitled to special consideration on account of their greater needs, they may be paid a personal allowance to be called the "Buropean allowance" on the analogy of "Exchange com-pensation allowance." The "two-thirds" rate is besides not adequate for the holders of "listed" posts in the Judicial Department. It does not secure to them anything like even two-thirds of the financial prosperity of the Civilians. Under present conditions it is ordinarily not possible for a Subordinate Judge to attain to a "listed" post before he is near 40 and when he has only about 15 years more to serve. His prospects of arount to years more we serve. His prospects of promotion are also far inferior to those of the Indian Civilian. During the 15 years or so that are left to him he may not attain to a District Judgeship till he is near retirement, and at best he would be holding it for a few years. Add to this the fact that on his elevation to the higher branch of the Service he has to live up to his position, which entails on him extra expenditure. He is expected to live in the same style as ne is expected to not in one same safe as Givilians, and to entertain, otherwise he is liable to be despised. To sum up, it will be seen from the above that just as Civilians have on their side considerations peculiar to them which justify their being paid at the present rates, so have we also our own peculiar considerations on our side which entitle us to be paid at the same rates as the Civilians, and these considerations are at least as cogent and weighty as any that can be put forward by the Civilians. And over and above this, we have this strong argument in our favour that as officers holding similar posts and doing similar work we ought in fairness to receive the same pay and the stigms of in-feriority which attaches to us in consequence of our not receiving it should be removed. The number of "listed" posts is after all comparatively insignificant, which is an additional reason why the invidious distinction at present existing should not be perpetuated for the

sake of a small saving to Government. In case, however, our claim for the "whole case, however, our claim in man loaf " is negatived, I would press for a revision of the scale of pay. At least one of the posts of Provincial Assistant Judges should carry a salary of Rs. 800 (if not Rs. 900). Junderstand that some years ago this was the pay of the First Assistant who worked as "Joint Judge." I also understand that Government shortly I also understand: that Government shortly proposes to raise the pay of the first fire Civilian Assistant Collectors from Rs. 900 to Rs. 1,200 (see foot-note to List B. Appendix VII). The pay I have proposed for the Senior Provincial Assistant would represent two-thirds of Rs. 1,200. The salaries of the Provincial District Judges should be raised from Rs. 1,200 and 1,600 to Rs. 1,400 and 1,800 respectively. A Provincial District Judge in the highest grade should receive at least as much pay as a Civilian Judge in the lowest grade. And a Provincial District Judge in the lowest grade should receive a higher pay than a Civilian Assistant Judge. At present he does, but as I said above the first five Civilian Assistants will, in all probability, shortly be receiving pay at the rate of Rs. 1,200 per month, and it would be anomalous that an Assistant Judge should be receiving the same pay as a District Judge, Imagine the homiliation to a District Judge who receives the same pay as his Assistant. Nay, it may even conceivably be worse: The Provincial District Judge may be only officiatrevincial District study may be only disconting in that appointment, in which case he would be drawing only Rs. 1,000, while his Civilian Assistant would be drawing Rs. 1,200, Of course, I am taking only a possible case, for Of course, I am taking only a passible case, for Government would, no doubt, take ourse to avoid my such east-fairne. Lastly, I would press for an increase in the number of "listed" posts by at least two Assistant Judgeships and one District Judgeship, and this I would do with a view to improve the prospects of the sub-ordinate juddingr as well as the holders of "listed" posts. The number of "listed" posts in the property of the property of the past-ordinate juddingr as well as the holders of "listed" posts. The number of "listed" posts is at present much too small to satisfy the legitimate aspirations of the subordinate judi-ciary, which has a deservedly high reputation and contains a certain number of officers just as good as any that are selected and who are left behind merely because there is no room for them. The increase of one in the number of District Judgeships is proposed specially with a view to secure reasonable prospects of timely promotion to the Assistant Judges, and in this connection what I said above about the age at which a Subordinate Judge can hope to attain to a "listed" post has to be borne in mind, Under the present conditions it is ordinarily not possible to secure an appointment in the subordinate judiciary before the age of 30, and a Subordinate Judge must necessarily take some years to prove his fitness for a "listed" post. It may be arged that it is open to Government even now to add to the number of "listed" posts as the maximum is yet far from being reached. True. But no minimum is fixed, and what I submit with all due deference is that the time has arrived when it should be fixed at the number I suggest. There is no longer any lack of fit men to hold the posts,

27947 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? 3rd March 1913.

102

Mr. Pherozeshah Jehangirshan Taletarkhar.

continued.

If not, what do you suggest ?-The scale of pensions prescribed for officers holding "listed" posts compares very unfavourably with that laid down for members of the Indian Civil Service, and is the same as the one prescribed for other members of the Provincial Service. I submit that this ought not to be so. An officer who has held a "listed" post for five years or more should on his retirement after years of more smooth of a reaction and a service of 25 years or more get a "maximum" apension of at least Rs. 6,000 a year, and the scale for shorter periods of service should be revised on the same basis. This is all the more necessary as an officer holding a "listed" post is compulsorily retired at the age of 55, whereas other members of the Provincial Service are ordinarily granted extensions up to the age

## Written answers relating to the Provincial Civil Service.

27948 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—Rule 8 (e) is objectionable on various grounds and should in my opinion be repealed. I would recruit only from practising pleaders (as used to be done some years ago) under the latter part of Rule 10. It is true that the supply at present is far in excess of the demand, and is likely to continue to be so. But the age-limit of \$3 will automatically exclude all except those who have passed early and who on that account will presumably be also intellectually superior to the rest. Or the Government may nominate a certain number (according to requirements) from the successful law graduates of each year, and when the nominees of a particular year are exhausted pass on to the nominees of the next succeeding year. In making nomiof the next section gyear. In magning nominations, the Government should in my opinion go by the results of the examination to the extent of two-thirds of the nominees, and choose the remaining one-third with a view to secure as far as practicable due representation of the nar as practically due representation of the various classes and communities in the public service. Of course, a nominee will have no claim to be appointed unless when his turn comes he is not superannuated and has otherwise

qualified himself. 27949 (5). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open for direct recruisment to you recommend (4) opon competition, (b) nomination, (c) combined nomina-tion and examination, or (d) some other method? Please describe fully the system that you recommend?—For direct recruitment for the Bxecutive branch I would recommend that two-thirds of the appointments be filled by open competition, and one-third by nomination from among university graduates of distinction, so as to secure, as far as practicable, due representation of the various classes and communities in the

public service.

27950 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend ?-The probationary period for the Judicial branch should in my opinion be three years and not two.

27951 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction ?- I am of opinion that it is very desirable that Executive officers should not have magisterial powers, but if this is not feasible on the score of expense, I would suggest that at any rate officers below the rank of Mamlatdar should not be invested with magisterial powers, and no officer below the rank of Deputy Collector should be invested with the powers of a first

class Magistrate.

27952 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?-The designation has come to be a badge of inferiority in relation to holders of "listed" posts, and this inferiority is accentuated by the invidious pay. The holders of "listed" posts have in my opinion good cause to be dissatisfied with an arrangement which relegates them to an inferior service and classes them with their subordinates. Service and classes area with one stoominates.

It is a significant fact that the "Statutory Civilians" in this Presidency had to a man elected to continue under the old system, presumably because, though their pay and prospects were not the same as those of the members of the Indian Civil Service, they were at any rate classed with the latter and were looked upon as members of the same Service. I am for a reversion in this respect to the

status ono ante. 27953 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired quali-fications in the officers appointed? If not, what alterations do you recommend?-The existing rates of pay and grading in the subordinate judiciary of this Presidency are, in my opinion, inadequate, and I strongly recommend that they should be revised. The administration of civil justice in this country primarily and principally rests with the Subordinate Judges, Their work is of a responsible character requiring high legal attainments, hard and conscientious work, and absolute integrity, and they do it very creditably on the whole, and of late years more creditably than before. Their rates years more creditably than before. of pay have not been revised, I do not know exactly for how many years now, but certainly for a considerable time; and in the meantine living has become much more costly and the standard of living has also materially advanced. standard of living has also materially advanced. I recommend the abolition of the grade of Rs. 160, a substantial reduction in the number of appointments in the Rs. 200 grade, a proportionate and properly distributed increase in the number of higher appointments, and the creation of a grade of Rs. 1,000 with at least free conditionates in that circumscent in the circumsce two appointments in that grade.

8rd March 1913.1

Mr. Pherozeshah Jehangirshah Taleyarkhan.

Continued.

# Mr. Pherozusuan Jehangershan Talbyarkhan, called and examined.

27954. (Chairman.) You are an Acting District and Sessions Judge ?- I sun.

27955. You are not, I understand, in favour of simultaneous or separate examinations ?-I am not.

27956. But in order to provide further facilities for Indians to enter the Service you would increase the number of Government scholarships and would revise the syllabus of the examination ?-Yes.

27957. You would also make the maximum age limit for Indians one year higher than that for European candidates ?—Yes.

27958. And you would like to see the listed posts increased also?-Moderately, yes.

27959. You would create at least 25 Government scholarships distributed over the whole of India. Would you raise them from each University?—I am not prepared to say whether they should be attached to a University or whether Government itself should distribute the scholarships.

27960. You merely throw out the suggestion that there should be 25 sobolarships?—Yes.

27961. Would they be tenable for three years?—Yes. It would be a good thing to give the man a thorough training.

27962. How would you award your scholarships?-To the best men, on the results of the

University examinations. 27968. You would select?—I would select from graduates of distinction in the Universities.

27964. So that your scholars would come from the Universities ?-They would.

27965. But not necessarily from the five Universities as suggested by some witnesses, but might be selected from the best scholars, probably all of one University ?-Yes.

27966. Do you propose to retain the age limit for Europeans as it is at present?—I have not considered that point at all. I say let the age limit for Indians be higher by a year whatever the age limit for the European is. I do not know what age limit would be suitable for Europeaus. 27967. What age limit would be suitable for

Indians?—About 24,

27988. At what age does a man generally graduate at Bombay University?—He takes his B.A. degree at 19 to 20 and the double degree at 22 to 23

27969. You would piece the holders of listed costs on the same level as the members of the

posts on the same reven as an industries of the Indian Civil Service?—Yes. 27970. Would you practically incorporate them into the Indian Civil Service?—Yes. 27971. Would you like to see officers promoted

from the Provincial Service at a younger, age than is at present the case?—I do not think that is possible.

27972. Are the present holders of listed posts too old for the positions they occupy?—I do not say they are too old, but that it is not possible for them to get these posts earlier. My remarks only apply to the Judicial, and there a Sub-ordinate Judge does not get his first appointment in the ordinary way until he is thirty. Then it is some years before he is considered fit to hold a qualifying post.

27978. Would you like to see a scheme by which young men of ability would be recruited to the Provincial Service, and moved up by selection so that they reached Indian Civil Service posts at an earlier age than officers now reach them !-I do not think you would secure as good men as you do under the present system.

27974. Do you not think that a brilliant young man passing up by selection would be a better officer than an older man who goes up by easier stages? -Occasionally you might get such a man, but I do not think on the whole you would get a better lot of men by that system than by the present system.

27975. You do not hold the view that officers attain to positions in listed posts too late?-That is a drawback no doubt.

27976. You do admit that to be a drawback?-Yes, that he should get it so late as that.

27977. Would you not like to see that drawback removed?-Yes, but you would not secure the

same efficiency I believe. 27978. So that, when you suggest an extension of the listed posts system it is on the assumption that the present practice obtains of going steadily through the Provincial Service and reaching those posts rather late in life?—Yes. 27979. Are you in favour of direct recruit-

ment from the Bar for the Judicial branch?

27980. Why do you suggest that the probationary period for the Judicial branch should be increased from two to three years?—I have reconsidered that matter and I do not think it should be increased.

27981. Do you think the two years' probation as at present is useful?-There are certain drawbacks, but on the whole I think that period ought

backs, not of the world Y what has beind ongot to be retained and not extended. 27982. What pay does no officer receive now during his period of training?—Rs. 150. 27983. You are not satisfied with the present rates of pay. You suggest that Assistant Judges should have a salary of Rs. 800 or Rs. 900. Have they not that already?—The Civilian Assistant, not the Provincial. The latter gets only Rs. 500 and 600.

27984. You would like to see them rise to Rs. 800 and 900 ?-Rs. 500, 600 and 800.

27985. Three grades?—Yes.
27986. Would you like to see the Provincial District Judges raised from Rs. 1,200 and 1,600 to Rs. 1,400 and 1,800 ?-Yes.

27987. Does the rate which you suggest cor-respond to the rate in vogue in Bengal ?—I have

not looked into the figures there.

non locace into the agares where, 27988. What has guided you is suggesting that particular rise?—The pay of the Civilian Judges here. I say that the pay of the Provincial Judge in the highest grade should be at least

Continued.

as much as the pay of the Civilian Judge in the lowest grade, and the pay of the Provincial Judge in the lowest grade should be higher than that of a Civilian Assistant Judge.

27989. You say that listed-post officers, after 25 years' service, should receive a maximum pension of Rs. 6,000. What is the present maximum pension?—Rs. 5,000.

27990. (Lord Ronaldshay.) What are your chief objections to a system of simultaneous examinations?-In the present state of education in this country I think that recruitment by an examination in India will lower efficiency and weaken the Service. Our system of education is still defective, more especially on the moral side. In my opinion, men who are recruited here will be interior mentally as well as morally to men recruited in England. One result of that will be that Government will be seriously embarrassed in promoting Indians to higher posts, and, however fairly they may act, their impartiality will be questioned. I am, therefore, not in favour of any radical change in the present system.

27991. You say that men holding listed posts should be put on a footing of equality in all respects with the members of the Indian Civil Service. Do you mean that these men should be eligible for promotion to any Civil Service post or only for the listed posts ?— No particular posts are

listed so far as I understand.

27992. A particular class of posts is listed surely ?-Yes. I mean equality in point of nov I mean equality in point of pay and prospects. 27993. You do not mean that these men

should be eligible for promotion to any other Civil Service posts in the same way as a member

of the Indian Civil Service ?- No. 27994. What would your opinion be with regard to the suggestion that picked men from the Provincial Service should be promoted to the Indian Civil Service, and should then be eligible for promotion to any Civil Service post in the same way that members of the Indian Civil Service are now?—I do not see how that would work. You choose a Provincial Service man from his branch of the Service and he must remain in the branch he is in. He is not good for an appointment outside that branch, either Judicial or Executive.

27995. But in the Indian Civil Service you have the two branches also. I was not contemplating that a man who was promoted from the Executive side of the Provincial Service should be eligible for a District Judgeship; I naturally assumed that if he was promoted from the Executive side he would continue on the Executive side in the superior service. Do you not think such a proposal as that would be possible and advantargeons?-Yes. If you once take him up, deal ageous?—I.es. II you once have all any with him as if he were a Civilian in all respects. But the Provincial Judicial man would not be qualified for Executive work and he could not be transferred,

27996. Of course not. But a Provincial Judicial man might be well qualified to hold a District Judgeship?-Even now he gets it, but he does not get it in his ordinary turn. He ought to get his promotion in the ordinary course once he is put there.

27997. That is what I am suggesting, but when I first asked you the question you said he ought only to be eligible for filling the listed Posts ?- I did not mean that.

27998. (Sir Theodore Morison.) These scholarships you propose are to be like the Government scholarships given now ?-Yes,

27999. Are they to be given on the recom-mendation of the University?—I have not con-

sidered that point.

28000. Do you propose that twenty-five should be the total number, or do you propose to give twenty-five a year?—Twenty-five, tenable for three years. If you had, say, twenty-five this year, you would have twenty-five next year also but in the fourth year the first year's twenty five would be available.

28001. That makes seventy-five in ali?-For the first three years it would be seventy-five, but later on you would have the first year's available.\*

28002. With regard to your answer to question (104), supposing these alterations were made in the matter of pay and so on in the Provincial Service, do you think that Service would form an honouron you same that Service would form an incondi-rable and satisfactory aremose to the public service for Indians? It has been described as a parial service and as having the stignan of interiority; but would you be assisted with it supposing the electrations you suggest or made?—Yes. I am quite confident that it these alterations are made that interiority are would discover. the interiority would disappear, 28003. And it would become a satisfactory

and honourable avenue for Indians to the public service?-Yes

28004. (Mr. Chaubal.) You want the salaries of the Assistant Judges in the Provincial Service to be raised ?-Yes.

28005. Although Assistant Judges are selected from the Provincial Service, you think it is likely that they have to remain for a long time on-Rs. 500 and Rs. 600?-Yes,

28005. Your proposal is that the pay of the Assistant Judge should be higher than that of the First Grade Sub-Judge?—Should be higher or at least as high. Then you would have a wider field for selection also.

28007. The Assistant Judge selected from the Provincial Service does exactly the same work as the European Assistant Judge, does he not?-

28008. He is liable to be posted to any place in which the European Indian Civil Servant may

be posted?—Yes. 28009. And he has to do all that work side by side with the European Indian Civil Servant and is getting only Rs. 500 or Rs. 600?-That

2010. It is that what you object to?—Yes, 28011. Similarly in the case of the District Judge listed from the Provincial Service he grat ture-thirds of the salary of the Indian Civil Service District Judge and performs identically the same duties?—Yes.

28012. Your point is that if you do the same kind of work with the same efficiency the payment

should be the same?—Yes,

28013. Is it or is it not the case that those who have been recently recruited from the Pro-

<sup>2</sup> The following explanation was sent in by Mr. Tuleyor blun.—My gaster to Sir Theodore Morison in regard to the number of etholarships was given under a missprechession. I did not mean that there should be chough acholarships to number of enchanging was given inner to mospyressensor. I fall not mean that there bound he concept architecturing to I fall not mean that there bound he concept with the leading of the I fall not mean that it is should translate with the I fall not the I fall not the I fall not the I fall not the I fall not the I fall not the I fall not the I fall not fall not fall not fall not fall not fall not fall not fall not fall not fall not fall not fall not fal

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vincial Service to District and Session Judgeships have to spend more in order to keep up the style

and digatty of their offices?—It is so.
28034. You would not make any deduction in
the salary on account of the listed posts being
held by Indians?—No.

28015. In your answer to question (9) I do not quite follow what you my about the proba-tionary period for the Judicial branch?—I have withdrawn my proposal after reconsidering the matter. I now think it is not desirable to make

any change in the present system.

28016. But what do you call the period of probation in the Judicial branch?—The two years period during which a new Substituate Judge has

to be on probation. 28017. Is it not at present the case that generally a man rises from Rs. 150 to Rs. 200 within less than two years?-It may happen, although the case is rare.

28018. If you look into it you will find it is generally so, I think ?—I do not think it is so in

late years.

28019. In answer to question (18) you suggest that at any rate officers below the rank of Mémlatdar should not be invested with magisterial powers. Why do you confine your recommendation to persons exercising third class magisterial powers only?—The objections to a combination of the two functions in one and the same officer weaken as you go higher in the official scale. They are strongest in the case of a low yaid Karkún-Magistrate of inferior mental and moral calibre, and less strong in the case of a Mamlatdan, and weaker still in the case of a Deputy or Assistant Collector.

28020. The powers also are weaker ?—Yes.

28021. I suppose you would much rather see that this defect was altogether removed ?—Yes.

28022. Is your answer in which you say you do not approve of this combination based on experience? - Yes, it is based on experience.

28023. (Mr. Sly.) I should like to have au explanation of your opinion regarding the rules of recruitment for the Provincial Service. Why is it that you wish to leave out Rule 8 (e)? That rule is the qualifying post rule. My first reason is that the Bar is a much better training ground for a Subordinate Judge than these posts; my second objection is that it is not desirable that men who are to be Subordinate Judges should serve on low paid appointments and associate with men who may be later on serving under them; my third objection is that if the present system is continued we shall later on have hardly any Subordinate Judges of more than twenty years' experience; at most my fourth objection is that these men block nomotion of the regular establishment to whom these appointments are prizes.

28024. Regular office establishments you can?—Yes. This has an injurious effect on mean ?—Yes. recruitment for the regular establishment, because if the prize appointments are gone you do not get sufficiently good men for the ministerial appoint-

28025. Is not that statement of the case more applicable to Rule (c), the one in which these minis-terial officers are included?—It is a misprint. It is Rule (c) I object to.

28026. What is the point of your objection to the record part of Rule 10? Is that also a misprint?—There is a mistake there also I think.

28027. Perhaps you will put it straight for us in your written evidence afterwards. You suggest that in making nominations the Government should go by the results of the examination : to what examination do you refer there?—The LL.B.

28028. How about the other sources of recruitment ?-I should say the LL, B, and the High Court Pleaders' Examination.

28029. That the Government should nominate candidates strictly by the result of those examin

ations ?-Yes. 28030. De you wish to allow Government any

rights of selection in regard to officers at all? I have said two-thirds may be filled by the results of the examination. 28031. With regard to twe-thirds you would

simply follow the results of the examination?-

28032. (Mr. Madge.) How many years' service

do you count?—About thirteen.
28033. Have you had both Ju
Executive service?—No, only Judicial. Judicial and

28034. At what period of your service did you join the Judicial branch?—I have been in the udicial branch from the very start. 28085. (Sir Musray Hammick.) Were you a

pleader before you were brought into the Judicial service ?-Yes,

28036. (Mr. Heaton.) When a young man passes his examination, say for the LL.B., he gets his degree in the course of a month or two and gets no regree in the course of a mouth of two and may then apply to be enrolled as a caudidate for a Sub-Judgeship, and he does so apply ?—Yes, 28037. But as a matter of fact he will not be

zalified to obtain the post for three years after

that ?-That is so

28028, So that his name is enrolled as a candidate three years before there is any possibility of his being given an appointment?-Yes.

28039. How would you work out your scheme of selecting according to the examination? You de not know beforehand how many appointments there will be three or more years hence. You would have a man applying this year and he cannot get an appointment until 1917 or 1918?—But we know that on an average the number of vacancies is about five in a year.

28040. You go by the average number of

vacancies?-Yes.

28041. How many would you select each year?—About 10. To allow for casualties, refusals, and 28042.

so on ?-Yes.

28043. With reference to appellate work done by Subordinate Judges, do not you think that that ought to be specially renumerated in some way?—Yes, I should think so.

28044. There might be a higher grade with some special rates of pay?—That would be one way.

28045. You were a Subordinate Judge yourself at one time ?—Yes.

28046. So that you have personal knowledge of these matters?—I have.
28047. (Mr. Joglekar.) In your answer to

question (6) of the Provincial Service you say that for direct recruitment for the Executive branch you would recommend that two-thirds of the appoint ments should be filled by open competition. would you enforce the conditions prescribed by the Government of India that the candidate is to be

Concluded.

of sound health physically, and ofactive habits, and be of good character: before the examination or after?-The good conduct certificate must be before the examination, and the rest could be left till after the examination, as is now done in all such eases. For the Indian Civil Service the manis examined afterwards. He takes a certain amount of risk when he goes up for the examina-

tion, because he may not be physically fit. 28048. If you have a special examination it is no use allowing candidates to appear and to be rejected afterwards ?-He can be examined before

by his own physician. 28049. It would be hard on a candidate to be rejected after passing the examination on the ground of bad health?-There would be so many candidates that it would be rather a difficult matter to examine them beforehand for physical fitness, and it would be a waste of labour.

28050. But it would save the labour of examining them afterwards?-The better plan would be to examine them after they have passed.

28051. Do you think that this special examination is necessary in addition to the high educational qualification prescribed by the Government for qualification prescribed by the Government M.A. oks instance that it was defined as First Class

28052. Тычгот the special examined pothat case you would dispuse with

necessary in that energiaes which ?—I should think it un-28039. As regards nh, equations powers, in your consumer to question (18) your support of the powers, in your rate officers halve it. soswer to question (18) you.

suggest that at any rate officers below the rank of han theer ambatian should not be invested with magisterial poly to any sees, and no officer below the rank of Deputy Collects a mean c should be invested with the powers of a First Class Magistrate. Do you know that the fresh Karle with the do not exercise even third class powers when a from Mamlatdar is present?—I am not aware of it · 59

Mámlatdár is present?—I am not aware of it. 28051. Supposing the Head Kárkún never exercises magisterial powers, and when the Mamlatdár is away the police bring an accused person, and that person cannot be remanded owing to the Kárkún not having magisterial powers, would not you say that in order to avoid inconvenience and delay Third Class Magistrate's powers should be given to him

during the absence of the Manlatdar?-Yes, the Kárkún may be given those limited powers.

28055. Limited powers to remaid a person and limited powers of trying petty cases in the Mamlatdar's absence? Supposing there is trouble under the Public Convergnoes Aut and the Mambet. dar is away, would you rather allow the accused person to wait until the Mamlatdar comes back from a long tour, or would you give petty powers to the Third Class Magistrate to try such cases ?-I should have no objection to his being invested with such powers whereby he can only impose a

small fine 28056. As you know, there are talukas about sixty miles away from District Hard-quarters, and if there is no First Class Magistrate it would cause great inconvenience and delay, especially in the miny season, to bring the witnesses and accused persons sixty miles. Under these circumstances would not you invest special Manlatdars with first class powers and station them at such distant télukus?—My idea is that it would be

better if Mamlatdurs had not first class powers,

bester it datamistanes and not brest class powers, 28050.7 You would not consider the inconvenience and delay in bringing the accessed and wincesses sittly miles in the rainy access 7—That could be arrolled in another way. 28050.8 How 7—I cannot say at the moment, 28050.8 How 7—I cannot say at the moment, 28050.8 How 7—I cannot say at the moment, 28050.8 How the moment of the substantial read-billion of the grain of Re. 150 and a sedesfatight reliction in the number of the appointments in the Rs. 200 grade. Perhaps you know that Mamladdirs are included in the Provincial Service?—Yes,

28060. And they do criminal work and have a good deal of travelling to do? -Yes.

28031. And the lowest grade Mambadar gets

Rs. 156?—They do. 28062. Would you recommend any increase of pay for these Mamlatdars? -I have not considered the question.

28063. (Mr. Chaubal.) In how many districts at h have you served as District and Sessions Judge?field 1 Four

280078064. In the performance of your duties as Districtoryincial is and Sessions Judge in these four districts Distriburinaal is and Sessons vonge in those four districts did you European and yourself hampered because you had not worked a Assistant Collector or done by Executive with He is his which Assistant Collectors to Executive work. He is not warm assessment the Executive work. He is not warm assessment of the continuarity suppose Exercises to the continuarity suppose the continuarity and the continuarity of the continu

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## ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA

## At Bombay.

Tuesday, 4th March 1913,

### TWENTY-SIXTH DAY.

### PRESENT':

THE RIGHT HON. THE LOZD ISLINGTON, E.C.M.G., D.S.O. (Chairman).

THE EARL OF RONALDSHAY, M.P. SIT MURRAY HAMMICK, K.O.S.I., C.I.E. SIT THEODORS MORISON, K.O.I.E. SIT VALENTIME CHIROL.

And the following Assistant Commissioners:

JOSEPH JOHN HEATON, Esq., LOS., Judge of the High Court of Judicature, Bombay. Maradev Braskar Chausat, Esq., c.s.e. Walter Colley Mader, Esq., c.i.e. Hersent Albert Lidents Fires, Esq., James Rausay Macodyald, Esq., M.P.

Ráo', Behádur Rahohandra Nabayan Josephar, Assistant to Commissioner, Central Division, Poona. Rasseonath Ganoldhar Bhadbhade, Esq., Judze of Small Cause Court, Poona.

M. S. D. Buttiss, Esq., c.v.o., c.i.s. (Joint Secretary).

REGINALD POCOCK BARROW, Esq. Los., Commissioner, Northern Division,

Written answers relating to the Indian Civil .
Survice.

28065 (I). What is your experience of the working of the present system of recordinants by open competitive examination for the Indian Orvil Service? Do you except it as generally satisfactory in principle?—The present system of recruitment by open competitive examination has the drawback of opening the cores of the Service even to man who, though hook-learned, are in no way qualified to discharge the duries and bear the responsibilities of an officer of Government in India. But I take it that it is impossible to crove any system of recruitment which will absolutely ensure the rejection of trustiable mea. And that being so, I believe that the cristing system works quite as well as any other that we might have adopted, and that it is generally satisfactory in principle. Generally speaking, and as far as any experience backes ms, it gives us recruits who no considerations of character, manners, education and physique are not un-suitable.

28865 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest I—The only alteration I would suggest is the lowering of the limit of age of admission to from IT to I9, for I think that conditates now arrive in the country later than is additable. A man arriving

in India at the age of 22 has more fixed preconceptions and fixed it more difficult to get ind of them if they are erroneous than one coming out at the age of 21. The extra time now allowed enables a man to take his Degree at the University, but they rears so speat would in my opinion be employed to better advantages in sequence of parties of India and Indian conditions, Moreover, the younger man is fat less likely to come out married, and I consider that it is better for a name—better I mean so far as his work is concerned—so be without a wife during the first three years at less of his service.

28037 (3). Is the system equally setiable for the admission of "Natives of India" and of other natural-born subjects of Isi Majesty P— I consider the system equally suitable for the admission of Natives of India and of other naturalbrm subjects of His Majesty, and that its provides adequately for the legitimate aspirations of Natives of India

28095 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Services with that for the Indian Civil Service is on it to the advantage of Indian interests? Please give your reasons?—I understand "Indian Interests" to mase "the interests of Indians". I have no personal experience of the effect of the combination of the hires examinations, but I suppose the

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inevitable result of the combination is to increase the odds against the Indian candidate. He seeks only an Indian appointment, whereas other candidates with a preference for the Home or Colonial Service must be glad to accept an Indian appointment on failure to secure their original choice.

98600 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would prose. Do you recommend a system tased on any of the following principles:—(a) Selection by the admission of schools approved or orbitarylas: (b) Selection by suthorities in Universities approved or otherwise: (c) Normheids in by headmasters or University authorities and selection under the orders of the Severlary of States: (d) Combined nepimation and examination: (e) Any other method "E-Heats see answer to question (10). I have already shown that I consider the present system to be assistatory in principle. I am opposed to the principle of selection—if it can be avoided—because there is always the risk that selection may occasionally mean influence or personal predictions.

28070 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty ?- I presume that "a system of simultaneous examina-tion in India and in England" implies that the competition in India would be for a portion only of the vacancies of a given year. I have already expressed the opinion that the present system which involves the passing of an examination in England--provided adequately for the legitimate aspirations of Natives of India; I would now add that a system of simultaneous examination is not merely unnecessary, but positively objectionable. There are many objections, amongst them being the enormously increased strain of competi-tion amongst Indian youths by giving to thousands of them who are at present shut out a chance of entering the lists, the probability that the tendency for appointments to fall almost exclusively to one or two classes would be greatly accentuated, and the risk of the contents of examination papers being divulged in India in time to be of use to candidates there, but I will only refer to the two which appear to me to have most weight. After a service of over 27 years in this country I am persuaded that its administra-tion must be based on Western ideals and conducted on Western principles, and that the introduction of a system of simultaneous examination inIndia and in England would be likely to effect a change in this respect in the case of Indian members of the Indian Civil Service. The system would do away with the necessity at present existing for every Indian candidate to receive training and education during two or three or even more of his most impressionable years in Western surroundings, coming in daily contact with, and being necessarily affected by, Western manners, customs and ways of thought. No ancount of training of Indians in India, even under European supervision, could make up for

the less of those two or three years of training in Europe prior to obtaining admission to the service. Moreover I apprehend that any examination held in India for appointments in the Indian Crit Service might expose us to very serious risk of allowing appointments tog to the disleyal. Under the present system there is, if we disleyal. Under the present system there is, if we like to take it, some opportunity of assertationing the antecedents of the small sumber of candidates who proceed to England to appear at the open competitive examination; it would be difficult to know much about the crowd of youths who would come in from all parts of India to compete at an examination held in India.

28071 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

28072 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Notives of India" recruited by means of a separate examination in India or by asens of separate examinations in sech province or group of provinces in India? If so, what proportion of you recommend?—I am allogether opposed to a separate examination in India, nor do I consider that Ratives of India have any right to a fixed proportion of the appointments in Indian in Endian Civil Service. What they have a right to is an opportanity to compete for appointments with other subjects of Itis Majesty.

28073 (10). If you do not approve of simul-taneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomina tion and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?-My answers to previous questions make it clear that I do not favour any system of special selec-tion of Indians for the Indian Civil Service. But if some system of preference must be introduced I should be disposed to advise the yearly nomina-tion in India of a certain number of Indian youths of not more than 17 years of age, who would be required to undergo three years' training at one of the English Universities and to pass certain qualifying examinations before returning to India to take up their appointments. During their training they should seceive £150 a year. In such a case the ultimate power of nomination would rest with the Governor-General, who would select from nominoes put forward by each Governor and Lieu. tenant-Governor. The latter would be guided in making nominations by considerations of family, position in life, physique, education and loyalty to the Crown. It would in this way be possible to provide for the representation of all classes and communities whose representation is desirable. I unhesitatingly reply in the negative to the question whether I consider it desirable that all classes and communities should be represented;

Mr. R. P. BARROW.

Continued.

only chaos could result from recruiting men who could not possibly work together in the same district or in the same office.

28074 (11). If you are in favour of a system for the part recruitment of the Indian Critil Service by "Natives of India." In India, do you consider that "Natives of India." In India, do you consider that "Natives of India." should still be eligible for appointment in Registad, or would you restrict that right to other natural-born subjects of Itis Majesty —Ploses see my reply to the previous question. The somination of "Natives of India." in India would be justificable only on the assumption that open competition in England does not give them a fair chance. The system which I have entitled, and which I do not recommend but have put forward as a possibility, would give to "Natives of India." a certainty of a number of appointments every year and place them in a much better position than they now are. Having compensation than then you were. Having compensation who shape of the right to compete in England; to great them safe further compensation who shape of the right to compete in England; to great them safe the wheelers of His Mainety.

28075 (12), Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services? If the former, what alteration, if any, yould you recommend in the conditions governing the Provincial Civil Services?—The system of nomination referred to in my answer to question (10) would be supplementary to, and too fin lieu of, the present system of promoting to listed posts officers of the Provincial Services.

28078 (13). Do you recommend any separate method of recombant for the Judical Baunch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any change in the method of recruitment. If any change at all is needed in the nethod of filling judicial appointments it is, I think; no unnection with the training after admission to the service. Personally I am of opinion that the few years' service in the Revenue Department usually given to the finiture Judge, which brings him into close touch with the people and affected him an opportunity to learn something of their customs and lines of thought, cannot fail to be of great assistance to him in his judicial career. After a few years' work in the Revenue, and he is much less this diple and the service and the service and the service and the service and the service and the service and the service and the service and the service and the service and the service and the service and position to make up his mind whether he is more fitted for the Judicial Branch than for the Revenue, and he is much less likely to make a mistake in this respect than if he were called upon to excretely also considered the service and appointment to a judicial post.

28077 (15). If the system of recruitment by open competitive examination in England is

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retained, please state the age limits that you required to the candidates at such examination, giving your full ressons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving uge in Rughand, or candidates who have completed a University course, or candidates at an internediate stage of education i—I favour the limit of 17 to 18, so that candidates may be attracted at about the normal school-leaving age in England. Under those conditions and with a two years' probation at one of the Universities, candidates would come out to India at the age of about 20 or 21, when they are full of enthusiasm, less landicapped by preconceived lides than at a later stage, less prone to find subordination inknows, and usually unmarried.

28078 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 ears, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—I find it impossible to differentiate. According to my observation the men who have entered the service since 1891 are indistinguishable from those who entered between 1878 and 1891, except perhaps in that they are better effected. It may even be that they are, as a body, intellectually superior, but 1 do not consider this as an argument in favour of the later age, because, in my himmle opinion, the servant of the Crown in India's more usefully enjoped with common senses.

28079 (17). What is your opinion regarding the suitability of the reconst recruits to the Indian Civil Service 7—As a class I have found those recent recruits with whom I have come in contact much the same as their predecessors entering the service under the same rules.

28080 (18). What is the most suitable age at which junior civilians should arrive in India?—About 20 or 21 in my opinion.

28081 (19). What age limits for the open competitive examination in Sugitand would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty ?—I do not recommend any differentiation and differentiation and supplies of His Majesty ?—I do not recommend any differentiation.

28082 [29]. On what principle abould the subjects for the open competitive examination be fixed? Do you accept the principle leid down by Lord Macaulary Committee in 1864, and since followed, that "the examination should be of such a nature that no candidate who may full shall, to whatever calling he may dovote himself, have any reason to regret the time and abour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialist in any parti77.0

Mr. R. P. BARROW.

4th March 1913.]

Continued.

cular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I certainly accept the principle stated and which has been followed

sine 1854.

28083 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Native of India" and other candidates. The follows from my answers to previous questions that I consider no differentiation desirable.

28084 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service eadre do you consider that "Natives of India might, under present conditions, properly be admitted?—To the first part of this question I answer in the affirmative because I can see no escape from the proposition if we are to retain our paramount position in India. This, in my opinion, applies with greater force to the executive posts of the Revenue Department than to posts in the Judicial Department. I consider it desirable that, as far as possible, the control of the districts should be in the hands of Europeans. In this Presidency we now have 26 districts (including the Upper Sind Frontier, which is administered by a Deputy Commissioner), and I am of opinion that at least 75 per cent. of these, or 18, should always be in the hands of Europeans, Lam not recommending that 6 districts should be made over to Natives of India, but am merely indicating the limit beyond which I do not think we should go. I take it that the proportion below which the number of the higher posts of the Civil Administration held by Europeans should not be allowed to fall is, in the case of this Presidency, about 68 per cent of the superior posts referred to in List B of Appendix VII. Under present conditions I consider that the most we can do is to admit Natives of India to some 32 per cent, at the outside of the posts included in the Indian Civil Service cadre.

28085 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statutor of 1870 should be revived and, if so, what method of recruitment would you recommend !— I have nothing to say in favour of the Statutory Civilian and have no desire to see the system, under which he obtained an appointment, revived.

ment, revived.

20868 (20). What experience have you had of
military or other officers who have been specially
recruited in India to fill India; Oivil Service
posts, and how many such officers are employed
in your provine. I Plesso distinguish in your
reply between (a) military officers, and (b)
others; and give details of the latter?—When
I first went to Sind, about the end of 1887
I think, most of the District officers were menbers of the Sind Commission; to a large extent,
though not entirely, the Commission was recruited from military officers. The remainder
were for the most part men why, not belonging
to any other service, obtained a direct nomination
iron, I talink, the Governor in Connell. The

Sind Commission is now represented only by Mr. Horace Mules, C.S.I., now Chairman of the Karáchi Port Trust.

28087-8 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted 7—I can see no advantage in reviving the system.

28089 (34). Are all the posts time listed ordinarily and regularly filled by "Natives of Indie." I If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons."—The naswer to this guestion will, I presume, be turnished by or on behalf of the Bornbay Government. The peas of Tkithtdari Settlement Officer has, with the exception of a short leave vacancy, bean held by a member of the Indian Ortil Service ever since I assumed charge of the Division in 1908. The reason for his holding tis that it was desirable to have in the appointment the best man available and the best man available happened to be a member of the covenanted

Service. 28000 (49). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a problem of this rystem I—a period of probation in Braghard 1. Do you recommend the continuance or abolition of this rystem I—A period of probation in Braghard is, I think, certainly desirable. It is desirable that a successful candidate should go through a special course in Law and Language before coming out to India. One year is not too long for candidates passing in under the existing conditions, nor would two years be too long if the age limit were observed.

28:031 (4). What should be the duration of the probetioner's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you T—(a) One year. (b) Three years in the ease of Natives of India noninated in India under the suggestions contained in my reply to a previous question, and two years if the existing system be continued but the ago

28092 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes:

28093 (46). Hee, do you advise the selection of one or more Universities for this purpose and for what reasons —I should prefer to see all probationers trained at the same University. It would surely be an advantage for all the men of one year to be fogether during the period of probation at the same University where they would get to know each other and form firendships which might be listing. Moreover, if all probationers were trained at the same University twoold specialise in the matter of their training.

Continued.

28004 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend 7—7es. The allowance should be £150 a year with £50 at the end of the probation to pay for the passage to

India. 28005 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of eases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books or Indian Inguages with or without any attempt as colloquial instruction; (iv) the teaching of the Indian Geography, (i) Political Economy, (i) Accounts 1—I do not consider that (i) is very uneful. A few days attendance in an Indian Court where the candidate could observe actual Indian procedure would be far more useful; (ii) is very desirable, as also (iii) with colloquial instruction in Humbashain and the vernacular which the candidate will afterwards use. (iv) (b) is also desirable, while (iv) (a) and (iv) (c) are not lead to the control of the conditions with the candidate will afterwards use. (iv) (b) is also desirable, while (iv) (a) and (iv) (c) are not

is also desirable, while (19) (a) and (19) (c) are not. 28096 (53). Do you consider that the probationer's course of instruction can less be spent in England or in India?—In England.

anners course of man cool can be seen to a service in England or in India I—In England.

25097 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probabloners of the Indian Civil Service and possibly of other Indian services recruited in England?—The proposal does not commend itself to me in say way.

28098 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training Oriental languages and in Law required by probationers can be given better in England than in India because of the difficulty. in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—If the "suitable scheme" postulates that instruction would be given in a central institution located in a favourable spot the "arduous study" difficulty may safely be disregarded, for when he is once in harness the Indian Civilian's labour will ordinarily be far more arduous than while he is studying languages and law. Transfer to India the teaching staff now available in England and arrange for such a degree of permanency as will obviate frequent changes of personnel and you can remove the objections raised. But the cost would be altogether disproportionate to the amount of public advantage gained. Another consideration to be borne in mind is that some of the most effective teachers in England are retired servants of the Crown in India who place at the student's disposal the experience they have gained while in service, and who are unable to stand further residence in the East, Their services would be lost with the removal of the training ground to India.

38000 (37). It you have recommended the introduction of any scheme of direct recruitment in Instit for "Notives of India," whether in line of or supplementary to the system of recruitments fissigned, pleses state what system of probation you recommend for each others what system of probation you recommend for each others which will be a state of probation which I would propose for Natives of India nominated in India I aggress to long a period as three years only because the nonlines will not previously have resided in Raginad. They will not need so long for the mere study of law, or the acquisition of Oriental languages other than their own vennecular. I cannot suggest the exact course of study which should be prescribed for them, but I am not recommending the scheme.

28100 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in

India ?- In England certainly.

28101 (40). År you satisfied with the present arrangements for the training of junton members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Beyond arranging for their passing examinations in subjects of which a knowledge is essential, we confine our training of junior members of the Service to thrusting a measure of responsibility upon theme as soon as possible and allowing them to learn by experience. I see no reason to the dissatisfied with the results of this method. I believe it would be an advantage if before being placed in change of a Sub-Division, or of a single Thilota, every Assistant Collector were required to hold charge of a Manlatdda's office for a pacied of at least two months.

28102 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by mombers of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?-Possibly, less attention than formerly is now given to the study of the classical languages of the East, the reason being that men ave now but little leisure for outside study. But I do not observe that during my time in India there has been any deterioration in the knowladge of the vernaculars by members of the Service in this Presidency. It is not necessary that they should obtain proficiency in Indian languages; what is necessary is that they should be very proficient in the vernaculars of those parts of the Presidency in which they have to work. I am of opinion that, as a rule, they are fairly proficient in these.

28(00 (72). The present biscopy underlying the conditions of arrive in the Infini (0'') Service is that—(4) the members of the Service should have sufficient training in subordinate or inferior appointments better they are called upon to discharge the duties of higher one; and (6) that they should, throughout the whole petiol of their service, have sufficient salaries that sufficiently responsible duties. To secure these clearly responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per measem is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What after ntion (if any) would be necessary if the age of recruitment were lowered?—Even assuming that the original intention is carried out the arrangement now falls short of requirements in view of the great rise in prices in India in recent years. A salary of Rs. 1,000 a month is nominally equivalent to £800 a year, but it must not be forgotten that deductions have to be made from the Indian Civilian's salary on account of his own pension and his family's pensions as well as income-tax. Since I came out to India, the general cost of living has, I think I may safely say, increased by at least 30 per cent, while the sovereign has become dearer to the Indian official who has to make remittances to England where also the general cost of living has increased. An income of £800 a year (minus deductions) after eight years' service may be enough for a bachelor to live on in fair comfort, but it cannot be called wealth in the case of a married man who has perhaps to maintain a small family in England as well as keep himself in India. But the original intention is not fulfilled in many cases and there are many men who fail to obtain a practically permanent salary of Rs. 1,000 a month after eight years' service. The current Bombay Civil List shows that out of 133 men whose service is over eight years, 33 whether on duty or on leave are drawing less than Rs. 1,000. It would not be showing excessive generosity if the prospective period were reduced to six years.

28104 (87). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration considers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the computory retirement of inellicient officers?—It should extractly be within the record of Government to compel an officer of proved inefficiency for retire whatever services he may belong to. It would pay Government to get rid of such an one even at the case of a gratitity or reduced pension such as is now given to the officer who mill health forces to retire.

28105 (32). Are the present rates of pay and grading suitable ? In only, what alterations do you recommend?—In this Presidency there are three grades of District and Sessions Judges, and only two of Collectors. I urge the desirability of adding a third grade of Collector drawing IRs. 2,500 per mensem. Provision has, I understand, been made for the constitution of a grade of Assistant Collector on Rs. 1,200 per mensem; the change is greatly desirable.

28106 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or

domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation is unnecessary for new recruits; it could not be abolished in the case of those to whom it was granted literally as compensation, without sectious hardship.

28107 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-seale of salery? If you are in favour of a time-seale, should it be restricted to the lower grades of the service on not?—I would rather see the pay of the lower grades of the service improved than a time-seale introduced. If a time-seale were introduced, I would restrict its application to the Assistants.

38108 (104). Turning now to the case of the Statatog Chilians and offices of the Protitical Givil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of she pay drawn in the same preds by members of the Indian Givil Service? If not, what rate do you suggest for the various grades of the service? -I - consider that an approximate two-thirds of the Indian Givil Service pay is sufficient renumeration for Statutory Civilians and Provincial Officers.

28109 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Officers are, I think, not able to afford to take as much furlough now as they formers were when their furlough pay had more purchasing value. They do not take less privilege leave, which is leave on full pay, than they used to, but I believe they take less furlough.

to, out Jesteve have take less turiough.

28110 (107). Is all the leave on fall pay due
to them ordinarily taken by officers of the
Indian Uril Service, and if no, what are the
reasons? Is the amount which can be carried in
your opinion suitable? If not, what allerstative
arrangement do you suggest?—The only suggestion I would put forward is tella privilege leave
should be allowed to accemulate up to a maximum of four months. instead of three. The
Government of India have under consideration
certain modifications of the leave rules which,
if given effect to, should remove all cause of
complaint.

2811 (11b). Do any cof the present leaver rules press hardy in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—Article 200 of the Civil Service Regulations provides for the great of privilege leave due to an officer only on condition that he has been on duty without inderruption for eleven calendar months. I have known case in which the enforcement of the proviso has pressed hardly on an officer. The appropriate runchy is to declare that as much privilege leave as is due to an officer, or any portion of it, may be granted as soon as it is earned without reference to the time when here was hat taken.

28112 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Mr. R. P. BARROW.

Scontinued.

Government and by the members of the Indian Givil Service?—I have no reason to believe that the system is unacceptable to the men of my service in this Presidency but there are many who would be better satisfied if differentiation were permitted.

28113 (120), Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons ?—I believe that the Indian Civil Service is the only one which contri-butes a share of its own pension; the share contributed by the service is large, and although it is taken from the pay earned it is not available as a provision for his family after the death of a member of the service as it would be if paid into a Provident Fund or invested in a Life Assurance policy. Nor is it refunded to him if, for any reason, he has to leave the service without a ension. If he dies shortly after retirement and before he has been able to enjoy the fruit of his economies, no compensation on that account is allowed to his widow. The actuary could say with certainty how much of his own pension a member of the service has paid at the end of twenty-five years. I am under the impression that ordinarily it is not far short of a half. I put forward the suggestion that either the 4 per cent. contribution should be remitted or, in the alternative, that the monthly deductions on account of pension should be paid into a Provident Fund to be withdrawn on retirement and thereafter to be the absolute property of the subscriber, Govern-ment continuing to pay as pension the share of the £1,000 per annum which they now pay.

28114 (122). Do you consider that a similar system should be applied to the cases of high Escentire officers, and if so, to which? Please state the amount of pension and the conditions which you recommand as suitable?—I consider that a Mamber of the Excentive Council who has filled his office for the full period of five years should draw a pension at the rate of £1,200 per annum, and the men rathing after three years' services in the Commissioner's grade (by which I mean men holding appointments the pay of which is not less than Rs. \$3,000 per mensen) should draw £1,100 pension.

28115 (124). Do you recommend the introduction of a system of reduced pensions for such queuen or a system or remove persons for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, provided that the inefficiency is beyond all doubt, and provided that there is no chance of a man being condemned as inefficient on the report of a single superior officer. Proved inefficiency is extremely rare in the service; when it occurs it must in almost every case become manifest early in a man's service. been tried under half-a-dozen different superior officers and has been pronounced by the majority of them to be hopelessly inefficient, I consider that Government should be able to dispense with his services on the ground that his refention would be injurious to the public interests. In such cases I would grant, say, two-thirds of the gratuity pension admissible to an officer of the same standing whom ill-health forces to retire, Government should have this power with respect to all services.

28116 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The Indian Civil Service pension rules allow of no voluntary retirement until 25 years' service has been rendered, I exclude of course retirement on sick pension which cannot be correctly called voluntary. Nor do they provide for compulsory retirement except after 35 years' service counting from the date of first arrival in India. As soon as a man has earned his full pension-that is to say at the end of 25 years—it is possible to apply such indirect pressure as may induce him to go before completion of the full period of 35 years, but he cannot be compelled to retire. Now it may well happen that Government have to deal with a man whom, for various good reasons other than inefficiency, they would be quite content to spare and who, being himself dissatisfied with the conditions under which he is serving, is prevented from retiring only by the fact that his service is less than 25 years and he can obtain no pension. I do not think that the public interests would be prejudiced by the adoption of a rule permitting a man, with the consent of the Local Government, and at their convenience, to retire on a propor-tionate pension at any time after the completion of 17 years' service.

28.17 (128). Do you accept as satisfactory the regulations of the Indian Family Pension Pumi, or have you any suggestions to make either for their abolition or for their alteration? Have you may proposal to make in regulation? Have you may proposal to make in regulation? Have you may proposal to make in regulation; the standard of weaking and the regulation; the standard of the s

#### Written auswers relating to the Provincial Civil Service.

28118 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment by you recommend? For direct recruitment to you recommend? For direct recruitment to you recommend? of open competition, (6) nomination, (6) continued nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—I can only speak of the flevence Branch. Under the old system that you recommend?—I can only speak of the flevence Branch. Under the old system of premotion entirely from the lower grades we obtained a mentionism but usually poorly educated class of men. They were often promoted rather as reward for good and faithful service than because they had any speakl qualifications for higher and more responsible appoint-

314

ments. The proportion of medicerities was unduly high and the system had the additional disadvantage of promoting a man so late in life, and after so long a period of subordination, that he was never really able to accept responsibility or to show much initiative. Under the present system the doors of promotion from the ranks remain open, while the material to be found in the ranks is vastly superior to what it used to be. Direct appointments give us a gradual leavening of quite young men who may be trained from the first to bear responsibility and the terms of whose appointment ensure that they shall be welleducated. I approve of the system now obtaining in this Presidency which I believe to be some thing as follows: -The number of appointments to be made is advertised in the public press and applications invited before a certain date. Candidates possessing some or all of the necessary qualifications submit applications which are in due course considered individually by a Committee of Secretaries. The latter recommend one or more names on considerations of educational attainments, social standing, traditional loyalty and physique, and from the names submitted for his consideration the Governor in Council makes a selection.

28119 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—As a matter of practice residents or unally employed, but, I can see no reason why the oblice should necessarily be restricted to residents.

28120 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the case of Depuy Collectors selection governs promotion to appointments of over Rs. 500. In the case of Mainlatdars I select for promotion to the 1st and 2nd

grades, disregarding seniority where I think it advisable to do so.

28121 (20). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, not I—I am not in favour of a time-scale.

28122 (80). Do you approve of the arrangement by which officers of the Provincial Civil Service helding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I approve of the arrangement.

28128 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Girll Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest:—The amount of leave on full pays is, founded; suitable, I suggest, that it should be allowed to accumulate up to a maximum of four months although this is not so important to a service which does not usually take leave to Europe.

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28,124 (48). Do any of the present leave rules
press hardly in any way on officers of the
Provincial Civil Service, and, if so, in what
respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the
existing differences between the leave rules for
the Buropean and Indian Services a suitable?—
The provisions of article 200 of the Civil Service
Regulations may affect an officer of the Provincial Service in the same manner as an Indian
Civilian. In the case of both services I would
have it declared that as much privilege leave as
is due to an officer, or any portion of it, may be
granted as soon as it is earned, without reference
to the time when leave was last taken.

### Mr. R. P. Barrow, called and examined.

28125. (Chairman). You are Commissioner of the Northern Division?—Yes.

28128. Do you consider that the present system of recruitment gives on the whole a suitable class of civilian?—Yes.

28127. You say that the present system mosts adequately the legitimate aspirations of Indians. What do you mean by this ?—I think it gives the Indians such chance of entering the Service as they have a right to aspire to.

28128. You do not think that they suffer from any undue disability on account of distance, expense and so on ?-Of course there is considerable disability, but it is not insurmountable nor, I should say, excessive.

28129. You say in your answer to question (?) that at present, there are thousands of Indian youths who are unable to compete under the present system. Do you not think that any of these youths have legitimate assimations which the present system does not fully most?—We cannot provide for all sorts of impossibilities. There

are undoubtedly a very large number of boys in India who would aspire to enter the Indian Civil Service if they could manage it, but it is impossible for them to do so.

28180. Would not you say that my of those youths would be justified in trying at the examination?—Cortainly.

28131. In your answer to question (16) you assy, "Home preference sure le introduced I family disposed to advise the yearly monitation in India of a certain number of Indian youths of not mee than 17 years of age, who would be required to undergo there years training a tone of the English Universities and to pass certain qualifying examinations before returning to India to take up their approximents". De you mean that these moninations would qualify a number of Indians for ultimate enrolment in the Indian Civil Service 7—Yes.

28132. In your answer to question (24) you say that under present conditions Indians should be admitted to not more than 32 per cent, of the Indian Civil Service cadre posts ?—Yes.

Mr. R. P. BARROW.

Continued.

28133. Do you mean that admission to that extent night be made in the immediate future under the solame which you propose ?—I cannot see that there is anything to prevent it. I think we night give up to 32 per cent.

of the appointments, and they would be filled, if it is necessary, by this committee system, or from candidates who cuter through the competitive cannot for the state of the appointment, and they would with the precentage was within night be suitably given to Indians, and I have worked it out at about 32 per cent. Possibly the number who would come the Service under the competitive examination system would not be sufficient to raise it to 32 per cent. If, on the other hand, the suggestion made for direct homistion of a certain number were carried out, then, of course, you could provide for the percentage rains gto 32.

28134. If your scheme of nomication were introduced, would you withdraw the right which Indians now enjoy to compete at the London examination?—I have said that in one of my natures.

29185. Do you think that your proposed increase up to 32 per cent. could be made in the next few years without any nadao disclosulous of the Service P—I think that that 32 per cent, which I have indicated might be saifably introduced at any fine. This number of Indians in the Service might be increased to that number at any fine. I have not advocated that it should be done. I have not advocated that it is thought advantage that is the percentage up to which we might work.

28136. Then you do not see any insuperable difficulties in the way of its being done?—No, I see no insuperable difficulties in the way of its being done.

28137. You do not think that so large an increase would have an injurious effect upon the Service as a whole?—No. I do not think so. That is my personal opinion.

28138. What is the percentage of Indians now in the Service?—A very small one at present.

28139. It would mean a very considerable increase?—Yes.

28140. Would you insist upon candidates under your scheme giving proof of their educational qualifications prior to momination f—Not necessarily. A degree as a master of fact would be an advantage to a man, but I would not insist upon it; more especially, as the age is low.

28141. What test of educational efficiency would you impose upon than ?—I have not worked out any rules by which I would be grided. I am not recommending the scheme. I am culy suggesting that it might be done in the future in default of suything else. I have not worked out a scheme which would show which the effectional test would be. You could not expect a boy to take a degree and seventeen, so I would not institute upon that. It would be his educational training in general which would be taken into committention.

28142. He would go to England for three years to a University?—Yes.

28143. Would you expect him to take a degree at the University ?—I have pointed out that I find it very difficult to say how that three years' probation should be employed. I am not

sure that I would make it necessary for him to take a degree. All I would wish him to have is three years at an educational Institution in England. What the exact line of his training should be I am not prepared to say.

28144. You would like him to go to England at the age of seventeen ?- Yes.

28145. That would be rather young for the University?—Yes. It might be rather young.

28146. Did you yourself attend at the Law Courts and report cases during your period of probation?—Yes.

28147. On what grounds do you suggest that this form of practical instruction should not be a part of the prointsineary course?—Have I suggested that? I have said that I thought it was not vary useful. I did not find it very useful myself. I found no very reats advantage myself.

28148. You suggest, in answer to question (72), that the conditions of service might be modified to enable officers to attain a salary of Rs. 1,000 after six years' service, instead of eight years' service?—Yes.

28149. Would you modify that proposal if the age-limit were reduced?—Yes. If they passed in at seventies I do not suppose there would be any necessity to alter the age-limit provided they got it so the end of eight years, which they do not at present

28150. You also suggest that there should be an extra grade of Collectors at Rs. 2,500?— Yes.

28151. Can you tell me how many Assistant Collectors are there now on Rs. 1,2007—There are none I think appointed on Rs. 1,200 as yet. There has been a grade formed, but so far as I know no appointments have been made to it.

28152. You would prefer higher pay to a time-scale for the lower grades?—I do not know that I have any strong objection to a time-scale, but I would rather have it left as it is, as far as I am personally concerned.

28153. You would like to see the salaries of the lower grades raised?—Yes, improved.

28154. Both raised and improved ?-Yes.

28155. So that, officers would obtain a higher salary with greater rapidity ?—Yes.

29156. You suggest voluntary retirement after seventeen years, I think?—I suggest that it might be made possible after seventeen years. I have known cases where it would have been very useful if a man might have retired.

28157. You think it would be in the interests of the Service that certain new should retire at that time?—They themselves would find it to their interest to go, and I think there would be no harm to the Service if they went under certain circumstances.

28158. This would tend to raise the noneffective charges?—No, I do not think it would
be very much taken advantage of.

28159. Do you favour the compulsory retirement of inefficient officers?—Yes.

28160. On a sufficient pension?—Yes, with certain safeguards.

28161. You approve of the present system of recruitment to the Provincial Civil Service?—I think it is fairly satisfactory.

Continued.

26162. Do you find that many young men of real ability are recruited to the Service?—Not very many, because the appointments which are given directly in this way are not very numerous.

28168. Is it the practice in the Provincial Girll Service to promote by sentority or to select by merit?—There are two classes of the Trownshil Service. There are two classes of the Trownshil Service. There are the Departy Collectors, I believe, any remoted above the Rs. 500 grade entirely by selection. Usually, sentority also comes into juny, and it is the sention man who usually get the appointment. But there is room for selection in case the next man for promotion is not quite as estificatory as 6the man below him. With the Manlatidius I always apply selection to the first and escond grades.

28164. I suppose you know several of the officers who are holding listed posts in this Presi-

23165. Are there many of them who have attained to those positions at a comparatively young age?—The Deputy Collectors who are appointed directly. These direct appointments of Deputy Collectors are all made at a young age.

28166. I mean the listed-posts officers, who have been record up from the Provincial Civil-Service. Are any number of them compying those posts, who are between the ages of thirty-five and forty?—I do not think that there are any of them, so far as I can say, who have admined their grades very young. I do not remember any.

28167. One hears so much evidence to the effect that they only attain to them late in life, that I wanted to know if any officers in this Presidency had attained to them in comparative youth?—I do not remember any who are very young.

28168. (Lord Revaldings) With regard to your proposal to reduce the age-limit, I want to ask you whether you think that to bring a young man out to this country to work at the age you suggest, it likely to have a deleterious effect upon his health?—I do not think so.

28109. I sak that question because I have been told that when new new brought out here under a young specimit, say 20 or 21, that the mortality among the resruits was very great indeed. Can you confirm or dearly that ?—dly own year was a year of rather high mortality; bat1 think it was chiefly due to sections. I do not think there was say very high mortality from weakness caused by men coming out to the country too young. One man died of enterior. That was pessibly a case of a mean who came out too carly.

28170. Do you think, generally speaking, that the mortality would be likely to be increased if you were to bring your men out at that age?— I cannot see any reason why it should.

28171. Another objection to reducing the agelimit occurs to me, and that is that it would be very unsuitable for Indian candidates. Do you not agree with that ?—I am indined to think, on reconsideration, that it might be. When writing my canwers I probably did not give sufficient attention to that particular point.

28172. The Indian University man in Bombay, I understand, caunot take his B.A. degree before the age of twenty?—I am not able to say.

28173. I think you may take it thus that is the use. That being so, if the age-fluid were to be reduced to everetion to niechest as suggested by you, it would mean that an Indian would have togo to England as a school-boy, would he not Yell I think, on reconsideration, that I may possibly have made a light mistake with regard to the Indian catdidates. I am referring chiefly to the English catdidates.

26174. Supposing, you think it is so desirable to reduce the age-limit for the English candidates, what suggestion would you make for compensating the Indian candidate?—You might give the Indian candidate a higher limit of age.

25)75. You taink there would be no objection to asking English school-boys to compete against Indian University men in the same cravmisation?—I do not say that there would be no objection. It comes to this, that I would rather have our English boys out here at an earlier age. If is econd-tody by fixing the age-limit, bow for our Europeans, that we are unday prejeding the claims of Natives of India, hen I would say, that we must take the rough with the smooth, and allow the Indian to come in later.

29176. That would be your solution of the difficulty ?-Yes.

29177 What age-limit would you suggest for Indians under those circumstances?—They might get a couple of years more, whatever the age was for the Europeans.

28178. If the English age-limit was 17 to 19, you would allow the Indian to compete at 19 to 21?—Yes.

28170. With regard to the block in promotion, you say in, answer to question (72): "The ourrent Bombey Civil List shows that out of 133 men whose strive is over eight years, 53, whether on daty or on leave, are drawing less than Rs. 1000." To what do you astribute that state of affirs? To over-recurstom in the past?— I think over-recurstomed in certain years is, to a large actual, responsible for it.

28180. Recruitment to the Service is determined by mathematical consideration, is it not? It has been worked out on an actuarial basis?—

28181. So that, it is improbable that under the present system you would be able to provide a system of recruitment which would be certain of getting over these occasional difficulties ?—I think it would be extremely difficult.

28182. Under those circumstances, is if not probable that a time-scale in the lower grades is the only way by which you could provide with certainty for these man ?—I can not also lated to me as being a particularly desirable thing; but the time-scale of course has the advantage that it gives certainty to men of a particular race of pay after a certain length of service. It has that advantage, most distinctly. My preference is for the ordinary grade shown, but I have no moted objection to the time-scale. I am bound to admit that the proposition is correct. The time-scale does give certainty.

. 28183. Whereas, under no conceivable circumstances can the grading system give absolute certainty?—I do not know whether we could get

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a mathematical genius who could work out the figures with infallibility; otherwise possibly not.

28184. You make a suggestion with regard to pensions, and your suggestion is, I think, that the Government should provide the pension which they now provide, but that the 4 per cent. which is now deducted from the official's salary. instead of going to form an additional portion of the pension, should be allowed to accumulate at compound interest, and should then be available to the official in the shape of a lump sum on retirement?—My proposal was more moderate than that. I think I proposed that either Government should let us off the monthly deduction of 4 per cent., or that, in the alternative, they should pay as a pension what has been decided is the correct portion which Government should pay, and that our contributions should go into the Provident Fund instead of going to increase the pension, Not both.

28185. You have asked Government to give you that portion of pension which they are supposed to give you now, apart from your own

contributions ?-Yes.

28186. It is generally estimated that Government give you practically 2500 a year?—The assumption varies from different points of view. I was under the impression that Government gives haif. I have been told that it has been worked out, and that Government gives considerally more than half. On the other hand, I have been told by a very distinguished member of the Service, who attempted to work the method out in Calcotta, that we paid a great deal more than half, ourselves. Which is right I am unable to say, I think the original tikes was that we should pay half.

28187. Let us consider your proposal on the assumption that the Government only actually provide half the pension, that the Government provide the pression of £500 a year; your suggestion is that you should receive a pension of £500 a year; and in addition to that that you abould receive a lump sum which is provided by the 4 per cent. taken from your own salaries which is allowed to accumulate at compound interest. That is so, is it not?—Yes,

28183. We have been told that on the average at the end of 25 years' series the sum which would be available for the official would not amount to more than 21,000 or 21,700. The question I want to ask you is, do you think that the pension of 25,000 or you, just a capital sum of 21,000 or 25,1700, would be an attractive to the average candidate in the Service as the present pension of 21,000 a year:——Stated in those forms the proposal would not be nearly as attractive; but if it has sexumed has contributed towards his pension a sum which as equivalent to 2500, I think a pension of 2500 from the Government plays 25,00 pen noun which the Indian Givillan may head to his family after is efactly, would be equally attractive, to say the least of it. That is not expressed of optimizing to the expension of the proposed of the country attractive, to say the least of it.

28189. With regad to the facilities for Indians entering the higher Service, you suggest that something approaching one-third of the posts now filled by the Indian Civil Service might, without endangering the efficiency of the Service, be filled by Natives of this country?—Yes. 28190. I think you admit that under the present system of recruitment, that is to say, recruitment specified door, it is recryimprobable that supthing like so large a number of Indians will find their way into the Service for a very long time to come?—I do not know that we can admit that unnearreadly. I think communities at large are now coming forward to a very considerable extent in the matter of contributing funds for promising layer to go to Sngland to be trained, and rass into the Indian Girll Service. I do not see why, in course of time, there should not be a sufficiency of candidates to provide that 32 per cent, which, I think; is possible.

26101. But, judging by the average success of Indians during the last 10 years, it would be very improbable that there would be any very large increase in the number of Indians, if no other avenue than that which exists at present was provided for them. Is that not so? I suppose that is the generalization.

28192. Assuming that we thought it desirable to recommend some other avenue into the Szeries in addition to that which exists now, would you prefer the scheme which you engagest, manely, nominating fusions at these que of 17, and sending them to Bogland for two or three years, and sching them to pass a qualifying eramination; or such a scheme at this, picking your men from the Provincial Carl Service after you have bad the opportunity of seeing their actual work as administrative others for, say, five, six, eight or ten years, and then premoting them, not to listed posts, but to the Commission of the Province?—I should prefer the former.

28193. Would you prefer the scheme you yourself suggest?—Yes,

22016. On what ground would you perfect that scheme 7—the men you would select from that scheme 7—the men you would select from the Provincial Givil Service would naturally be very much older than the candidates whom I would send home from India. They would most of them have had no acquantiance with the West at all. I think it would be very difficult to obtain any at the age which would give the opportunity by your scheme of nominating for Provincial men. Thus is one objection which course to me.

28195. Is that an objection in your mind to the system of listed posts?—No; the listed posts are few. I understand under the scheme which you outlined all appointments would be open to

them.

2819.6. Oh, no. I am assuming that the Indian is still eligible to get into the Service by means of the stamination in London. I am only suggesting this as a supplementary avenue into the higher Service I—All your Provincial men whom you would appoint in that way would be estitled to aspire to any of the posts whatever in the Service.

28197. Any of the pasts for which they were considered fit?—Yes, Subject of course to efficiency. I do not see any advantage in that over my seheme. I still think that the Proviscial men whom you would select and who would ten be entitled to sayire to all posts in the Service, would be too old. That was my original objection.

28198. I was not suggesting to you, pick

28198. I was not suggesting to you, pick them at the age at which you pick man for the listed posts. I suggest that you should keep your eye upon young members of the Provincial Service and pick them at a much earlier age, say,

4th March 1913.]

Continued.

28162. Do you find that many young men of real ability are recruited to the Service —Not very many, because the appointments which are given directly in this way are not very numerous.

38168. Is it the practice in the Frevincial Civil Service to promote by senticity or to select by mentil f—There are two classes of the Frevincial Service. There are two classes of the Frevincial Service. There are two collectors and the Manistafars. The Departy Collectors, I believe, are promoted above the Re. 600 grade entirely by selections. Usually, sensority also comes into play, and it is the estion man who usually gots the appointment. But there is room for selection in case the next man for promotion is not quite as subfactory as the man blow him. With the Manistafors I always apply selection to the first and excend grades.

28164. I suppose you know several of the officers who are holding listed posts in this Presi-

23165. Are there many of them who have attained to those positions at a comparatively young age?—The Deputy Collectors who are appointed directly. These direct appointments of Deputy Collectors are all made at a young age.

28166. I mean the listed-posts officers, who have been trored up from the Provincial Civil. Service. Are any number of them compring those posts, who are between the ages of thirty-fire and total results of the control of the contr

28167. One hears so much evidence to the effect that they only attain to them late in life, that I wanted to know it any officers in this Presidency had attained to them in comparative youth?—I do not remember any who are very young.

28166. (Lord Resadshop.) With regard to your proposal to reduce the age-limit, I want to sak you whether you think that to bring a program out to this country to work at the age you suggest, is likely to have a delectious effect upon his health 2-1 do not think so.

28169. I sak that question because I here been fold that when men were brought out here under a young sep-imit, say 20 or 21, that the incetality among the recruite was very greatingted. Can you confirm or dearly that 2—31y own year was a year of rather high mortality; be I think it was chiefly also to seither set of think there was any very bigh mortality from weakness caused by men coming out to the country too young. One man dist of enterior. That was possibly a case of a men who came out too carly.

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28178. I think you may take it that that is the case. That being so, if the age-limit were to be reduced to resettent to interest as suggested by yea, it would mean that an Indian would have to go to England as a school-toy, would be not?—I think, ou reconsideration, that I may possibly have made a light mistake with regard to the Indian cardistates. I am referring chiefly the Indian cardistates.

28174. Supposing, you think it is so desirable to reduce the age-limit for the English candidates, what suggestion would you make for compensating the Indian candidate 2—You might give the Indian candidate a higher limit of age.

SS175. You think there would be no objection to asking Bogish school-boys to comptee against ladden University men in the same examination I—I do not say that there would be no objection. It comes to this, that I would rather have our Bogish above our here at an earlier age. If it is considered, by fixing the age-limit low for our Europeans, that we are unduly projection the chains of Natives of India, then I would say, that we most take the rough with the smooth, and allow the Indian to come in later.

28176. That would be your solution of the difficulty !-Yes.

28177 What age-limit would you suggest for Indians under those circumstances?—They might get a couple of years more, whatever the age was for the Europeans.

28178. If the English age-limit was 17 to 19, you would allow the Indian to compete at 19 to 21?—Yes.

28179. With regard to the block in promotion, you say in answer to question (72): "The current Benuby (Gril Life shows that out of 133 mm whose service is over cight years, 33, whether on duty or on leave, are drawing less than Ra 1000". To what do you attribute that state of affairs? To over-ceruitment in the past F--I blink over-ceruitment in certain years is, to a large activat, responsible for it.

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Mr. R. P. BARROW.

Continued.

a mathematical genius who could work out the figures with infallibility; otherwise possibly not.

28184. You make a suggestion with regard to pensions, and your suggestion is, I think, that the Government should provide the pension which they now portio, but that the 9 per cent. which is now deducted from the official salary instead of going to form an additional portion of the pension, should be allowed to accumulate at compound interest, and should then be available to the official in the shape of a lump sum or retrement?—My proposal was more undersate than that. I think I proposed that either Government should be use off the monthly deduction of 4 per cent, or that, in the alternative, they should pay as a pension what has been decided is the correct portion while forerments they are the Perceivant authorithetics should go into the Provident Pund instead of going to increase the persion. Not both.

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2818G. It is generally estimated that Government give you practically 2800 a year —The assumption writes from different points of view. It was under the impression that Government gives considerably more than half. On the other hand, I have been told that it has been worked out, and hist Government gives considerably more than half. On the other hand, I have been told by a very distinguished member of the Serice, who stringed to work the method out in Calcutta, that we paid a great deal more than half, correlves. Which is right I am unable to say, I think jab original idea was that we should pay balf.

28187. Let us consider your proposal on the assumption that the Government only actually provide half the pension, that the Government provide the pension of £500 a year, are your suggestion is that you should receive a pension of £500 a year, and in addition to that the you should receive a lump sum which is provided by the 4 per coad. Taken from your own lealizes which is allowed to accumulate a temporal relationship of the second provided by the second

28188. We have been told that on the average at the end of 25 years' service the rum which would be available for the official would not amount to more than \$1.400 or \$2.700. The question I want to ask you is, do you think that has penion of \$2.500 a year, plus a capital sum of \$2.500 a year, plus a capital sum of \$2.500 a year. 25-lated in three penion of \$2.500 a year. 25-lated in three terms the proposal would not be nearly as altractive; but \$5 it he assumed that the Indian Civilian after a period of \$25 years (and I think it may fairly well be assumed) has contributed towards his penion a sum which is equivalent to \$250, I think a pension of \$250 from the Government plus \$2.500 per annum which the Indian Civilian may hand to his family atter his doubt, would be equally attractive, to say the least of it. That is an expression of opinion, of course opinion, of course period opinion, of course.

28189. With regard to the facilities for Indians entering the higher Service, you anggest that something approaching one-third of the posts now filled by the Indian Civil Service might, without endangering the efficiency of the Service, be filled by Natives of this country?—Yes.

28190. I think you admit that under the present system of recruitment, that is to say, recruitment system of recruitment through the English door, it is very improbable that snything like so large a number of Indians will find their way into the Service for a very long time to come?—I do not know that we can admit that unnerwelly. I think communities at large are now coming forward to a very considerable extent in the master of contributing lunds for promiting boys to go to England to be trained, and pass into the Indian Grill Service. I do not see why, in course of time, there should not be a sufficiency of candidates to provide that 32 per cent, which, I think, is possible.

28191. But, judging by the average success of Indians during the last 10 years, it would be very improbable that there would be any very large increase in the number of Indians, if no other avenue than that which crists at present was provided for them. Is that not so? I suppose that is the conclusion.

28192. Assuming that we thought it deviable to recommend some other avenue into the
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28193. Would you prefer the scheme you yourself suggest? - Yes,

28194. On what ground would you prefer that seleme f—The men you would select from the Provincial Carl Service would naturally be very much older than the candidates whem it would seed home from India. They would most of them have had no sequalitates with the West at all. I think it would be very difficult to abstitute any at the age which would give the opportunity by yor; sebence of nonlineating for Provincial men. That is one objection which course to me.

26195. Is that an objection in your mind to the system of listed posts?—No; the listed posts are few. I understand under the scheme which you cutlined all appointments would be open to them.

28196, Oh, no. I am assuming that the Indian is still eligible to get into the Service by means of the examination in London. I am only suggesting this as a supplementary avenue into the higher Service I—all your Provincial men whom you would appoint in that way would be entitled to aspire to any of the posts whatsover in the Service.

28197. Any of the posts for which they were considered fit?—Yes, Subject of course to efficiency. I do not see any advantage in that over my scheme. I still think that the Provincial men whom you would select and who would then be entitled to aspire to all posts in the Serrice, would be too old. That was my original objection, 28198. I was not suggesting to you, pick

28198. I was not suggesting to you, pick them at the age at which you pick men for the listed posts. I suggest that you should keep your eye upon young members of the Previncial Service and pick them at a much earlier age, say, Mr. R. P. Bannow.

[continued:

after eight or ten years' service in the Provincial Service?-Do I understand that they are to be sent Home

28199. No, promoted to the Commission of the Province. You do not think that that would the Province.

be a satisfactory scheme?—No, I do not. 28200. Then I may take it, in: your opinion, that the two or three years which a young Indian student spends in England provides a better training for him than the eight on ten years' uctual experience of administrative work in this country?-Yes. I have said it in one of my answers, I think. You are bound to have a certain amount of Western experience.

28201. You think two or three years in England is a sine and non for any members of the

Indian Civil Service ?- Yes

28202, (Chairman.) The last question I asked you was based on the assumption that there were officers holding listed posts who were drawn from the Provincial Civil Service. Am I correct in understanding that there are no listed-posts officers recruited from the Provincial Civil Service with the exception of two of the old Statutory Civilians ?-

Yes, and three Judges. 28203. (Sir Theodore Morison.) I should like a few more details with regard to your answer to few more details with regard to your answer question (120), with special reference to the answer which you gave to Lord Ronaldshay. Did I understand that the idea in your mind was that contributions can use our rock in your mind was that the Government should pay a pension which may be £500 or £600, and that the Civilian would then have a capital sum in the Provident Fund which would yield him, approximately, an income of about £300 ?—Yes.

That would require a capital sum of 28204. about £6,000 or £7,000?-Does not Government pay any contribution towards the Provident-

28205. That is another suggestion which you are making. I understood your original proposal was that your 4 per cent. deductions should be put into a Provident Fund, and should be allowed compound interest, and that you should draw it out?—I do not debar Government contributions, That was my theory, that the accumulations in the Provident Fund, however subscribed, whether entirely by the Civilian himself or with the sid of

entirely of the crystal amuser of what are and a Government, should be sufficient to give him, say, £300 a year from his Provident Fund when he goes. 28208. But, surely, if at the present moment-the amount that the Civilian subscribes is equivalent to an annuity of about £400 at the end of 25 years' service, the capital sum would be much less than £6,000 or £7,000. I do not know what the expectation of life is, but it would beless than the expectation of life at which the Civilian retires at the end of 25 years, and if you capitalise it at ten years that would be generous, and it would be £4,000. As Lord Ronaldshay has suggested, the actual actuarial amount is under £2,000. Your proposal is that Government should contribute the amount multiplied by three? It may be that. I have not worked out the the may be ease I have now we are one figures in any way. My proposition is a perfectly simple one: either that Government should relieve us of the charge of the 4 per cent towards our pension, and give us the whole £1,000, or that in the alternative they should allow us £500 a year pension and give us a Provident Fund which, with or without our belp, would give us another £300 a year on retirement. I have not been able to work it out and check it,

28207. You are asking that the Government should make that addition ?—Yes.

28208. The second alternative is not probably

any: cheapar?-No.

any newsparation (22), with regard to your recommendation; in answer to question (12), you suggest that downess should be given to the daughters in their father's life-time and something for the boys to start them in life?-Yes.

28210. Have you thought how much this would cost?-No. I know it would mean increased subscriptions.

28211. You are prepared to advocate increased subscriptions so as to secure this benefit ?-Yes.

28212. With regard to these contribution; do you know at all what the opinion of the Service is in the matter?—No. These are personnel. recommendations.

28218. In one of your earlier answers you rate pit as an objection to simultaneous examinativelier in that as an objection to sentinaneous remininary right and it might expose us to very sections risks; all to be slow appointments to go to the disloyal. It projections from your answers just now that you! I won't despit it would be destrable that Indians so his smooth that an education in England?—Yes

28214. Under which system o solution described or you think that the danger of dislocally is

greatest ? — I do not follow the qui 25215. Which would be most d you slikely to beed extremists or anarchists, a system ses? — T of cleaning in England or a system of education sever this Inda?—The material is smaller in England.

28216. From your experience timit we of the last fev years do you not think that almost course; all the saze chism comes from persons trained in linguad and not from persons trained in India ?- I 3: " peak not give you an answer to that question. I do mire!

I am not prepared to say. 28217. I do not want to mention names; but there are certain ones that occur to me?-Yes, there are certain names connected with England; but yours is a more general and larger question. I should not like to answer a question of that sort off-hand without considerable thought.

I do not know. I admit that a certain amount, of course, has come from English sources.

With regard to your answer to ques-28218. tion (46), do I understand that you want the probationers to be at one institution?-Not necessarily.

I said one University.

28219. Do you want to get them all together, or do you want them to go to the University?-Both. I think I should prefer the University to an outside institution, and I should prefer to have them at the same University. I quite understand that there may be arguments in favour of a particular institution. I am not prepared to say that there are not. But for my own choice I should prefer a University, and that being so, I should prefer to have them at the same place.

28220. There would be an enormous practical difficulty about selecting one University or the other, would there not?—I think it would be a

very difficult matter to select.

28221. If you take Oxford or Cambridge you must offend one, and then you would have the cry of the Scotch Universities, and, I presume, Trinity College, Dublin?-Yes

28222. In view of the difficulty of insking the selection, and the probability therefore that you have to distribute more or less evenly between the different Universities, I want to know whetlier in your desireto retain them in one centre' you'would

forego the University so ake to keep them't together?-No; I think I would rather have them scattered at Universities in order to keep them at

the Universities.

28228. You think that University training is so valuable that you would lose by the other-method?—Yes. I should prefer to see them scattered instead of being in one place which is not a University.

28224. In your answer to question (72) you say "A salary of Rs. 1,090 a month is nomineally equivalent to £800 a year; but it must not be forgotten that deductions have to be made from the Indian Civilian's salary on account of his-ownpension and his family's pension, as well as income tax." Why do you mention income tax?-I why to you measured the car? -1 put it in, I suppose, without desiring any special weight to attach to it. It was one of the deductions I was thinking of.
2825. It is a smaller deduction than it would

he if he had an income of £800 a year in Eng land?-What do you call deductions in England?

28226. On the income tax?—Yes. 28227. First, there is the income tax, and, secondly, there is the Ramily Pension. That is compulsory thrift on behalf of the family in being or about to come into being ?-Of which he may get nothing, or his family. 28228. That may be safeguarded by in-

get nothing, or his namely.

\$8228. That may be safeguarded by insurance?—You may insure your policy to ripen at
a particular position freespative of death.

\$8229. I quite agree that it is on accountfits own pension. That is a strong case. But it
seems to me that your opinion is rather weakeend. seems to me may your opinion as namer westerned than strengthened by adding those other two things, to which everyone having an income of £800 a year is exposed?—I was maning deductions as they occur. I was pointing out that although a man nominally draws £500 a year he has deductions to make. Whether they are just, or equitable, or right, I do not say. The result is that the income he gets into his hands is consider-ably less than £800. In this particular place I was not trying to say that deductions were inequitable.

28230. I am suggesting that there are deduc-tions to which all incomes of £800 are liable?—I

must say 'yes' to that 28231. (Mr. Chank (Mr. Chambal.) There are nine Assistant Collectorship left open to the Provincial Civil Service and three Assistant Judgeships, are there not?—Yes, the Headships in the Districts are two in the Executive branch, and now there

are three in the Judicial.

28232. In the first place what is the objection? These nine posts which are left open in the Provincial Civil Service as posts of Assistant Collectors, what is the objection to calling them Assistant Collectors?—If these are the posts which have been taken to the Deputy Collector's grade, I am afraid, I do not know the history of

them. 29233. The nine Assistant Collectorships, as long as they were in the Civil Service cadre were called Assistant Collectors. Now they are in the Provincial Civil Service, and are Deputy Collectors. What is the objection to calling these nine officials Assistant Collectors as before?-I do not know that there is any objection to it.

25234. But they are called Assistant Judges in the Judicial branch. There is no change in the name there. These nine Assistant Collectors which were left open to the Provincial Service were taken away from the Civil Service cadre and left

open to the Provincial Civil Service as something to which the best men in the Service could aspire and they were originally, as Assistant Collectors' places, drawing a higher salary than Deputy Collectors did while they were in the Civil Service cadre. By merging them into Deputy Collectors that! aspect of keeping these posts open to the Provincial Civil Service is entirely lost, is it not?— I do not quite follow that. 28285. The nine Assistant Collectorships left'

open" to the Provincial Civil Service were roughly the recruiting ground for the two Heidships of the

district, were they not? -Yes.

28236. As a matter of fact, now it is not only these nine which are the recruiting ground, but the whole body of Deputy Collectors ?-Yes,

28237. And therefore the nine Assistant Collectorships loss that feature of it as the special recruiting ground for the two Headships of the District 7—That may be so. 28238. Again, in the Executive line, when you

recruit a fresh man into the Provincial Civil Service he first joins the grade at Rs. 300. There are two ways of recruiting in the Provincial Civil Service, one is by promotion from the Subordinate Service and the other is by direct recruitment as Deputy Collectors. When a man is recruited direct as a Deputy Collector he is recruited to the lowest grade of Rs. 300?—Yes, 28239. And then when once he is recruited

he only rises according to the ordinary grade promotion. You do not make any distinction between the other Deputy Collectors who rise from the subordinate service and the Deputy Collectors who are recruited fresh from the Provincial Civil Service?-Not up to the Rs. 500 grade; but after that belection comes in.

28240. Then there is no special importance attached to his being recruited as for one of the nine posts. There is no special importance to the person being recruited fresh to the Provincial Civil Service to a place which was originally in the Civil Service cadre?—I am afraid I cannot answer a question of that sort. It is not within my ken at all.

28241. I thought that all these men were under you?-I do not appoint Deputy Collectors.

28242. The Sub-Divisional Magistrates under you exercise criminal powers, do they not ?-- Yes. 28243. How many talukas is a Sub-Divisional Magistrate ordinarily in charge of?-The average is about three.

And his duties are mainly touring 23244. duties in the Executive line, in the Revenue line He is required to go round the Sub-Division?-He is required to tour. 28245. Does he not try criminal cases while

he is on tour?—He does.

28246. Have you ever beard complaints about cases having been dragged out from camp to camp on account of the necessity of the touring officer moving about in the District, and perhaps the people having to attend his earn? - I have heard of those cases in the sense that I have read of complaints in the Vernacular press occasionally; but I have never had any direct complaints made to myself except occasionally from a pleader.

28247. But I believe that there are certain decisions of the Courts which have noticed this; that case, for instance, in which a man had to be taken down to ten or fifteen different places before the case was finished?-Probably that 120

Continued.

28248. It would be certainly much more convenient to the public if these criminal cases were disposed of by a person who had not to go his round in the District, but was stationed in one

place?—I do not admit that. 28249. May I know why?—Supposing you have a case coming in from the further end of the District. Your touring officer goes out to meet it. Surely people who have to come in to see a rerson in a stationary place would have to go further than if the touring officer went out to meet him? I do not think it follows that the public would be generally inconvenienced by having a touring

28250. Even, in the case you speak of, a case may be started there, but it is not bound to finish

there?-It may be finished there 25251. Last year several Subordinate Judges

were vested with eriminal powers?—Yes.
28252. Have you any knowledge of the way in which they discharged their magisterial work?— I have heard of no complaints against them.

28253. With regard to your answer to question (7), I see you attach considerable importance to dence in India and a knowledge by the Indians of Western life and Western manners and customs. What would be the objection to giving this knowledge to Indian students after they had passed the competitive examination here !—I should prefer to see them get it at a younger age, when they are more receptive; that is my objection.

28254. Supposing, an Indian student comes at the age of 17 and stays at a University, would be see more of English life at the University or would be see more of English life and manners and customs after he has passed his examinations and goes there, especially for studying English life and character?-I should say before.

28255. (Mr. Mucdonald.) I think you said in answer to question (7), and you repeated it in answer to the Chairman, that "thousands of Indian youths are at present shut out from a chance of entering the lists "?-That may be an exaggeration in the use of the word "thousands." I meant many.

28256. You do not mean thousands, you mean many? You say, in answer to question (7), that that is for their good?—I do not think I said that

it is for their good.

28257. You say "There are many objections, amongst them being the enormously increased strain of competition amongst Indian youths by giving to thousands of them, who are at present shut out, a chance of entering the lists. The probability that the tendency for appointments productions that the content of the classes would be greatly accentuated," and so on. I understand you defend that partly to protect them from the strain of the examination?—I have said it was one of the minor points. I think that is what I said. I do not remember the exact wording.

28258. I do not think you used the word "minor". Looking at that as an outsider, and one who has the capacity of putting himself in other people's shoes, do you think that these youths who are shut out in this way have not a legitimate grievance?—We all have a legitimate grievance if we want a thing which is good for us and we cannot get it.

28259. That is, you admit it is good for them, and they cannot get it, and, therefore, they have a

legitimate grievance?-I do not admit that it is at good thing for them to have a legitimate grievance. I am sorry, I do not quite follow your argument.

28260. Looking at it from their point of view, do you not think they have a legitimate grievance? You replied that we all, when we cannot get a thing that is good for us, have a legitimate grievance. I understood you to answer my question in that way ?-So far, I did.

28261. Therefore, a reasonable outsider would say that they have got a legitimate grievance, and that the legitimate grievance must be met in some way or other, otherwise do you not agree that certain unfortunate political consequences

might happen, unrest and so on?—Probably. 28262. You then go on to say that if we had simultaneous examination there would be a risk of the contents of the examination papers being divulged in India. Are you giving voice there to unchecked rumour, or are you really speaking from your own experience?-I have had no out here, of course; but I have seen out here reports that the contents of examination papers do get out. I have seen that in cases which have cecurred, not under my own personal observation, but I have seen statements to that effect. As far as I remember there was one in Madras two or three years ago where the papers were divulged.

28163. Was that a University examina-tion?—I cannot remember. I believe it was, but I am not sure. I would not like to say. I

would not like to libe the University.

28264. Before putting down such a serious reflection as this on paper with your name attached to it, you did not check your authorities?-What is the reflection?

28265. I want to know how far it goes. Before putting this down on paper under your name, did you, or did you not, turn up the facts so as to make it perfectly certain to your own mind that you were not merely spreading a rumour for which there was no substantial foundation?which there was absolutely no reason for me to do anything of the sort, considering what my state-ment was. I thought there might be a risk of the papers being divided. I see no necessity for my turning up the authorities.

28266. You go on to say "The system" (that is, the system of simultaneous examination) would do away with the necessity at present existing for every Indian candidate to receive training and education during two or three, or even more, of his most impressionable years in Western surroundings." Do you know that an assential part of the proposal made by those who favour simultaneous examination is that the training of the successful candidates should be completed in England?—I believe that is a part-

28267, Does not that meet your objection there?-No.

28268. Why ?--Under the present system the acquaintance with the West which we have spoken of comes at an earlier age than it would with simultaneous examination.

28203. At what age do boys go home from India to prepare for the Indian Civil Service examination in England?—I do not know. I know one case of a boy who went at fifteen

28270. What is the general age?-There is not a very large number for me to judge from,

Continued.

but I should think sixteen. I have not looked up the facts.

28271. Would you be surprised to hear that it was at the age of minuteen ?—Yes.
28272. Or at the age of eighteen?—I do not

know that I have thought of it.

28273. You have put it down on paper?-Why should I not put it down on paper? You asked

for my opinion, 28274. I only want to know what your opinion is worth, that is all. Then you go on to refer to is worth, that is all. Then you go on to refer to disloyalty "the very grave risk of letting in dis-loyal candidates". You have got the same sort of information, have you not, in India that we have got in England?—I do not know what

information you have got in England. 28275. You say: "With reference to India

it would be difficult to know much about a crowd of youths who would come in from all parts of India to compete at the examination held in India to compete at the examination held in India"; and that is apparently contrasted with what happens when youths go to England. Would not you have the same chance of knowing what the political associates of those youths were ?-I think the difficulty would be that there would be so many of them. My point was that at present there are very few, and it is more or less easy to know who the candidates are, and who are their antecedents. If you get a very large number of people going up for it, it would certainly increase the difficulty. That is all, I have said

with regard to that.

28276. You raise an interesting point in answer to question (16). You say that comparing the result of the work of men who have come out at various ages you do not see that there is very much difference. You say: "According to my observation the men who have entered the service since 1891 are indistinguishable from those who entered between 1878 and 1891, except perhaps in that they are better educated." understand by that that the work of the two sections of men as Indian Civil Servants cannot be distinguished one from the other ?-That is so. 28277. Have you thought, amongst the man

reasons which might suggest themselves for that, that both batches of candidates were not put under the best probationary influences, that the robationary training we have hitherto given has ot been quite so good as it might have been ?-

hat would apply to both. 28278. That is my point. And, therefore, certain advantages which might be open to the Government in selecting young men have been lost, because they have not given a proper prohostionary curriculum, both of educational subjects and practical experience together. Has that ever suggested itself to you?—It has not suggested itself to me until you suggested it. I can quite see that we may not have had all the advantages of probation in either set of years.
28279. You had not thought it out as a

possible explanation of the similarity of dissimilar

circumstances?-No. 28280. In answer to questions (106) and (107) I should like to put a general question to you. I take it that your proposal with reference to the extension of privilege leave really amounts, does it not, to a merging of privilege leave into furlough?-If you extend your privilege leave beyond a certain point, beyond the point when it becomes a sort of annual holiday, or a two-yearly holiday, you really cross the border of privilege leave and get into the sphere of furlough. The distinction, I understand, between privilege leave and furlough is that privilege leave corresponds, more or less, with the average holidays one gets at home. And in order to meet the special circumstances of your life, here, and the administrative difficulties of your Government of constantly changing a man who goes away for a month, you allow him to accumulate; but there is a rule that accumulation must be within a certain limited period of time?-Yes, three months,

28281. The idea was that privilego leave at its maximum should never go beyond the propornamental should never go beyond the proper-tions of a regular annual holiday, that it should not be so long that a man could go absolutely away from his work as he can do on furlough?—I

suppose that was the original idea. 28282. That is the difference between privilege

leave and furlough ?-Yes.

28283. With that explanation I hope you will see the point of my question. If you increase your privilege leave in the way you suggest in your answer to question (107), do you not really take it over the border line of privilege leave, and make it of the nature of furlough?—It is rather hard to say. If you allow a man to accumulate next to say. If you allow a man to accumulate for four years, he denies himself any holiday for three or four years running. Whether that is not a sufficient justification is the only answer I can give to your question. It possibly is running into the furlough scheme.

28284. That brings me to my next question upon that very point. Do you think it is a good thing to encourage a man to accumulate his annual holidays until he gets tired? If men are annua nonagy uton to goes eree? It men are working for four years without a break (we do not do it at home, even under much better circum-stances) do you think it would be a good thing for the Government to encourage this accumulation, and, as it were, put a premium upon men working on, and on, and on for four years without a break?—I think it might be good if the fur-lough pay were altered so as to make it equally convenient for men to live at home.

28285. My point is with regard to the health of a man and the efficiency of his work. Is it a good thing that a man should be encouraged to work for four years without a break? Putting it in an alternative way, is it not a good thing that every holiday, in the same way as I have an annual holiday at home ?-Yes, I think you are correct; on general principles a yearly holiday would be good, 28286. I understand that there are certain

administrative difficulties in the way ?-Yes.

28287. Is this your opinion, that we ought more rigidly to set our face against privilege leave being accumulated until it becomes furlough?-I would not set my face entirely against it at present. I have said that your view is perfectly correct, that it would be good for a man to take a boliday, to take rest, so as to be in better trim for his work next year; but I would rather not see his accumulation absolutely prevented at present.

28288. (Mr. Madge.) You will see the object of my first question as soon as I put my second. The first is whether you have thought out any super-added test of character to the existing tests

super-added test of character to the camering terrs of the competitive system ?—No.

29289. In answer to question (87) you say:
"It should certainly be within the power of Government to compel an officer of proved ineffi-

[continued.

ciency to retire, whatever services he may belong to." Now, either these cases of inefficiency are so, ever small as to make it advisable not to recognise them at all, or they are sufficiently numerous to make it justifiable to have sense test of character. Which of these alternatives do you cosent 7—00 crosses or extremely low, but even so, I think provision should be made for getting rid of the services even of the yor few.

to your question?

28390. My thought was this, that if they are so very few in manuler, any interference with a man's fature excern might reflect back upon the original candidature of the service, if a must hought he had not a fixed career with a fixed pearsion. If there is any chance of a must being hauled up after being subjected to any test which was considered substancely, it makes his tenum of office uncertain?—It would depend upon the way the rule is worked. If you had the power of Government to get rid of the officer under safeguards, would not that that savary any risk which might arise if he had the feeling that his position was insecure?

- 98991. Conditions abready exist. When serious delete of moral character, and that surface fining, are discovered, the num can be got rid of; but where it is a question of administrative capacity, might it not be wiser, and effer, to send a man from a very important charge to a less important charge, that to get rid of him, and rob him of hopes on the strength of which he entered the Public Service—If it man is promouncedly inefficient, and he can be really obing no good to the service or to public interests, then, I think, we ought to get rid of him.

28292. You think that, because he is not only not doing good, but he may possibly be doing harm?—He may possibly be doing harm.

28293. In answer to question (10), you put forward a scheme without aims at the nomination yearly of a certain number of young persons who are to be sent home for future study, and so on. Do you not think there is a grave risk of a certain portion of these men turning out to be bad largains?—There would always be a risk. There is a risk of some of any body of loyer turning out bed bargains. The suggestion I made was that there should be very careful selection. When you have done the best you can, you cannot do any better.

28294. No doubt, as in answer to question (7), you attach a great deal of importance to the training of Indians for two or three years in Europe; yet, as a matter of fact, we are sware of a considerable number of mon, both of the Indian and the Anglo-Indian community, going bome, who, as the easily is, "go to the dogs." The question is what proportion of them breaks up that way. What guarantee of character can you here, as a spilled to a very young person, which would affurd certain asfigurads in a matter of this kind 2-70 oce cannot have an engigenal which are absolute certainties. You have to take a certain answer.

28295. If you had proposed as a condition that these men, or their parents, paid their own way, it would be suchlar matter; but you do not do thet. You propose to give an allowance of £150 a year, and to impose a new burden upon the, public 2-Would it be a new burden? Against that must be put, the allowances of

the candidates who obtain admission at home. It would be a transfer.

2890. With reference to your navers about the subject of privilege leave, I would direct your attention to the opinion gaining ground that accumulated privilege leave new-clays leaves to a larger number of officials running from than ever they did, and so outling identisal was adult from the country for league periods than they over did before. Side by side with this opinion there is the other one, that these breaks are not for the good of the country. From that point of view, do you still hold with accumulation of privilege leave in preference to the annual recruitment of a month ("Nes, I suppose I am looking air from my own point of view, but I do prefer the accumulation."

28297. You do not think there is any real ground for the fear that these constant breaks of service and running away from their work do any harm?—No.

28808. You were acked to consider the metric of a system of posting young Provincin men to the Commission instead of to more listed posts. Considering that there is no such administrative entity as a Commission, except in non-regulation districts, would it affect your opinion if the question were asked whother you would not prefer to post them to the regular earls of the Grill Service instead of simply to approximate in the list which were meetly cut do such "-No, I do not think it would affect the argument.

28299. With reference to the possible leakage of examination praces, here you not read the publish reports of cases of extual leakage of that kind 2—remember one case in Mediras; another I read of three or four weeks ago, but I did not 1 pay much attention to it. I saw that thore was another cannination examinal Lidd not, however, pay much attention to it; and I cannot give you the defails.

28300. You have not heard of one which occurred last month in Calcutta?—Possibly that is what I was thinking of. I saw it in a telegram, or a small paragraph, in a paper; but it was of very little interest to me.

28301. (Sir Valentine Chirol.) You hold the opinion that no Indian can be really well qualified for the Indian Civil Service unless he has a peried of education and training in England?—Yes.

28302. Therefore, I would ask you whether you would not also consider that although many limitians may want to ender the Indian Cityl Service none of them can claim a right to aspire to the Indian Cityl Service unless they faill that condition which you regard as essential, namely, that they should undergo a period of European training a Vest that is so.

that they should undergo a result training?—Yes, that is so.
28308. And in your opinion that period of Buropean training should be before the examination, and not after?—Yes.

28304. You have had a long experience, 27 years, I believe?—Yes.

28305. We have heard from other viduesses that the work of Civilians, especially of District Officers, has increased very considerably during that period. Is that also your experience —That is my experience, certainly. The work has very largely increased.

28306. And the work which has increased has been chiefly office work?—Yes.

28907. And it has increased at the expense of the time which was formerly allotted to seeing people, and touring in the Districts?—I think it has, to a very large extent. I think that officers are unable to give as much time now to the actual out-of-door work, if I may call it so, the touring work, the meeting of people in their villages, and so on, as they used to be able to give. They have more desk work, and they are kept longer at their tables, and they are less able to move about

28308. Do you think that that has an undesirable effect upon the efficiency of the administration ?-Yes, I think it has. I think it prevents us, very largely, from cultivating, to the extent we otherwise should, the acquaintance of our people. I think it must deteriorate to some extent the efficiency of administration. I find it in my own case. If I did not make an effort I should be at my table at my head-quarters for most of year, and I should never see any of the people except those who made a point of coming in to see me, not only because they want something, but because they want to see who the head of the administration is. Being able to make an effort,

administration is. Delig about to make an electric however, I go about and see people.

28309. Have you may remady to suggest for this state of things?—Decentralization would do something for it. If we could all decentralize to something below ourselves, and let our subordinate officers do more for themselves, and depend less upon us, that would be a help. But there is no cure for the gradual increase of the work in the various departments. As far as I can see it is

bound to go on.

28310. Might not there also be a remedy in decentralization at head-quarters, less reference, backwards and forwards, from the Secretariat to the District Officers?—There might be a considerable decrease of the work under those circum-

28311. Is it your experience that the District Officer has now less initiative, and is allowed less responsibility, and that it is more difficult for him to take responsibility than it used to be, and, that on the other hand, the influence of the Secretariat has become more pervading ?-- I cannot say that there is any very noticeable difference in initiative; but I do think that the District Officer, like other people now, is more apt to turn up his books and find out the rules and regulations on certain subjects than he need do, and than he used to do. He used to do things more on his own, but now be turns the rules up, and he finds that he has to ask the permission of this and that man, and he does it. I do not, however, think that there is less power of initiative than there used to be

28312. I gather that you do not think that the rules and regulations have really assisted in maintaining greater efficiency?-I am afraid I

do not 28313. Could you give us any specific instances of the increase in the work? Is it due, to some extent, for instance, to the creation of a number of special Departments, such as Education and Sanitation, and things of that sort ?- Yes, that is

. A large increase comes from that reason. 28314. Involving, I suppose, much more

clerical work ?-Yes.

With reference to the question of 28315. ension, do you know whether the Government of India has over published any statement based upon actuarial calculations as to the proportion which the 4 per cent. deduction represents of the £1,000 a year pension which Civilians draw?-I have not myself seen any statement to that effect.

28315. Have you ever heard of complaints that no such statement has been forthcoming? -I cannot say that I have heard complaints from members of the Service. Do you mean as to why we have heard no such things? I remember the matter being gone into in one instance by an officer who in Calentta went very closely into the question as far as he could, and he informed me personally that we were paying a great deal more than we were supposed to be paying. He gave the figures, but whether they were correct or not I cannot tell.

28317. You are not aware that at Home, also, the question has been investigated by people of some actuarial authority, (of coarse upon only very inaccurate materials) and they, also, have arrived at the same conclusion?—No, I do not know that.

28318 There is the same thing with regard to the Indian Family Pension Fund. You have not heard that that question has been investigated? -No.

28319. Or that opinions have been expressed that any first-class Insurance Company would be able to offer for similar payments very much better conditions? -I have brard men talking in that way privately, and so on; but I am not aware of any public discussion upon the matter. 28320. Therefore, when Civilians are asked

whether they have calculated what would be the effect of the financial results of any modifientions that they suggest, would it not be reasonable also, to ask that we should know exactly what the present system really represents as between payments made by individuals and payments made payments made by their values and payments made by Government?—That is, I think, the point which I brought out in my suggestion, that Government should find out what the share is which we are supposed to pay and then settle our Provident Fund substriptions on that basis.

28321. (Sir Murray Hammick.) In your evidence I gather that while you consider it advisable that the Indian element in the Civil Service should be considerably increased, I also gather that you are at the same time not at all prepared to agree that simultaneous examination is the best method of doing so ?-That is so.

98322. When the Chairman asked whether you did not consider the increases which you were suggesting in answer to question (21) were very large, no doubt you have always intended that if those increases came about the claims of, the existing members of the Civil Service should be amply protected?—Naturally.

28323. That is to say, that nobody who has arrived in the Service on the understanding that the Service is to be what he sees in front of him is the Service is so or white he sees in both of that it to have his promotion interfered with by the recruitment of Indian officers by any other means at all than open competition?—Yes.

28324. I understand from your evidence that, thinking simultaneous examination to be a very bad method of increasing the Indian element, you would rather go in for a system of selecting young men, and sending them home and giving them a qualifying examination, but not allowing them to come for the Service. The first question I will to go up for the Service. ask you is, whether you think men who come into the Service in that way would, after a few years, at all events, have the same status, and be looked upon in exactly the same way as the Indian Civilian, provided they did their work well?—It is rather impossible to answer for what other people

124

may say, but I do not see why they should not

bave very much the same status. You intend these men to come into 28825.

the actual Civil Service?—Yes. 28326. We have been teld by a great many witnesses that the great objection to recruitment of that sort would be that the stigms of inferiority would always attach to men who came in under those circumstances. You do not think it would be a serious objection. You think that probably after some years' service the method by 'which these men were recruited would be lost sight of, and that they would be recognised as all of one and the same Scrvice?—Yes, I imagine so.

28327. With reference to your opinion that the age at home should be reduced to 18 or 19, looking to the fact that undoubtedly in Indian Society out here such a course would be taken to mean that a great obstacle was being placed to the entrance of Indians into competition at home, do you think that step would really be worth taking? Is the importance of reducing the age of the English candidate so great as to justify our running the risk of considerable misinterpretation, and of the action which would be taken in this country?

You will remember that I said I would be prepared to see an increase in the age of Indian candidates.

28328. Supposing you could not do that. There is a great deal of difficulty in having different ages for different sets of candidates going up for the examination. Do you think the importance of reducing the age is very great?—I de not think that the safety of the administration rests upon it. I should prefer, from my own ersonal point of view, to have younger men out. I do not say that everything depends upon the

change being made.

28829. Have you thought of the question of a Training College in England?—No, I have not. I have only contemplated the University.

28320. Supposing the difficulties of a College taking all the candidates was pointed out to you: would you think that a single Training College for all candidates, Indian and European, in Kingland, would be a good thing?-I would rather have the University training,

28331. If you cannot get your University training at one College, as you suggest, where the candidates would be all more or less in association do you think that a Training Institution would have a good effect in that way of bringing students tegether and enabling them to be taught in various Indian subjects better than is possible at the Universities?-No; I think I would far rather stick to my preference for the University, even at the risk of the candidates being separated and scattered about in various institutions.

With regard to the question of an annual holiday and leave, one result of accumulating four years instead of three would be that probably men would go to England at rather longer intervals than happens now; they would wait four years instead of three in many cases. The taking of a month's leave in every year would he a great difficulty in this Presidency as elsewhere. first, the Government can very make arrangements for a man leaving for a mouth every year; and secondly, the distances of most stations from any decent climate have to be taken into consideration. It is very seldom worth a man's while to take short leave for a month as he cannot get into a suitable climate to recruit his

centrol get mide a stratole climate to recruit ma health and to stay there long enough to do him any real good?—That is a cerrect statement. 28385. Do you think the ideo of a man taking an annual holiday is had?—I think, on general principies, a man should have a yearly holiday. 28534. The difficulties in this country to that

course are very great, are they not ?—Yes.
28335. Do you intend these four months'

privilege leave to be added to furlough?—Yes, 28336. Have you any idea why it was that Mamlatders in your Province have been taken into the Provincial Service?—I cannot understand at all why it was done, except that they wanted it, and I believe, they were anxious to have it done them-selves. They thought it would give them an extra status; but I do not know of any real reason why it should have been done.

28837. Do you think it is a good arrangement ?

- I do not see any advantage in it.

28338. (Mr. Heaten.) With reference to this question of an annual holiday, supposing that were in force, it would be difficult for this, amongst other reasons, that English officers would all be wanting their holiday at about the same time?— Yes, quite possibly.

28339. They would prefer to get away in the hot weather?—Yes.

28340. One of the disadvantages in consequence of taking leave is, that it so often leads to ransfers, is not that so ?—Yes.

28341. And there is the consequent dislocation of work, and so on ?-Yes.

28342. Have you ever thought it would ever be possible to make a district self-contained, so that any one, from the Collector downwards, may he away for any period, say, up to six months, without necessitating any transfer at all except possibly the bringing in of a young trained man or promoting a Marmlatdar in place of a Deputy Collector?—It would be a very nice scheme, but I do not see how it could be worked.

28843. You' do not see how it would be possible to work it. Supposing, a Provincial Service man were more freely used for the purpose of leave to do the work of the Civil Servant : have you thought that out?-It might be done, but

I have not worked it out. 28344. With reference to your answer to uestion (13), about separate recruitment of the Judicial Department, what do you suppose would be the effect on the relations of the Collector and the District Judge if they were commonly in entirely different Departments; that is to say, the men who come to India were under different conditions and did not belong to the same Service? -I do not think it would have a good effect in that way. I have no doubt that the Collector and the District Judge would pull along, of course; but I do not think there would be the same friendly relationship as exists between them now.

28345. Do you think there would be a likelihood of more official friction?—I should think

it would be very possible.

28346. Do you think it might amount to serious emburrassment?—That is an hypothesis: I саппот вау.

28347. In answer to question (24), you say, speaking of the necessity of employing Englishmen, "This, in my opinion, applies with greater force to the Encentive posts of the Royenge Department than to posts in the Judicial Department."

Why do you say that? What are the principal reasons?—That would be going into politics, and I am not sure it would be altogether profitable. I have a predilection myself for Englishmen in charge of Executive duties and the carrying on of a District. I consider that not entirely the same qualifications are required for a Judicial appointment as for a Revenue appointment.

28348. The men having Executive duties need more activity?—Yes; and I think there are political reasons.

28349. You are thinking of political reasons?

28350. Then I will not pursue that topic. With reference to your answer to question (72), do you understand the principle on which recruitment is now calculated? Have you gone into that question; have you worked out the theory ?-No, I have not.

28551. (Mr. Joglekar.) In your answer to question (16) of the Provincial Civil Service series, you state that in the case of the Deputy Collector selection governs promotion to appointments of over Rs. 500?—That I believe is correct,

28352. Rule 22 of the Rules states that promotion to appointments with salaries of Rs. 500 a month and apwards will be based solely on a month and appearus with on cased solely on fitness and merit; so that this statement of yours will require correction?—Yes, to that extent, 28353. Rs. 500 and upwards?—Yes.

28354. At the end of your answer to question (60) of the Indian Civil Service series you say, "I believe it would be an advantage if, before being placed in charge of a Sub-Division, or of a single Taluka, every Assistant Collector were required to rauma, every assistant concentr were required to hold charge of a Manlatdar's office for a period of at least two months." Would you similarly require that a recreit to the Provincial Civil Service should hold charge of a Mamlatdar's office?—I think it would be a very good idea.

28355. In your answer to question (7) of the Provincial Service series you state, "I can see

no reason why the choice should necessarily be restricted to residents." Do you think a man from another Province will be available for the grade of Rs. 150 at the start? -I have no doubt you might get them. I have had applications myself from other Provinces for the appointments.

28856. Would you not prefer a resident in the Province to men in another Province on account of his knowledge of local customs, etc. ? - As a matter of practice that is done. I only state that there is no real reason why you should not have an outsider.

28557. (Mr. Bhadbhade.) In your answer to question (6) of the Provincial Civil Service series question (9) or the trovincial of m. Server some you have stated that you prefer well educated men to fill the posts of Deputy Collectors rather than clerks who have risen from the lower grades? Can you give us what percentage of vacancies for Deputy Collectors are annually filled by selection in this way? - I have not got the figures available, but, usually, there are one or two a year.

28358. Are you in favour of extending that system for a percentage of Mamlatdar vacancies, a system of selecting ca didates under Government Notification?—That is what they are doing now

under the new Rules.

28359. Would you be in favour of a system of selecting a certain percentage of Mamlatda's under the same Rules as those for Deputy Collectors?—We had the whole of the Rules under revision only about two or three years ago, under revision only mount one of some years ago, and we have now got Rules which provide for the proper selection of Mamlatdars. I should not like to see any further tinkering with the Rules, or alteration in them, now, as far as the Upper Branch is concerned.

28360. Mámlablárs, I understand, belong to the Lower Branch ?—I was talking of the Upper Branch of the Subordinate Revenue Service from which the Mamlatdars are appointed.

(The witness withdrew.)

# RAGHUNATE PANDURANG KARANDIKAR, Esq.

#### Memorandum relating to the Indian and Provincial Civil Services.

28361. (i) The Civil Service Examination owes its origin, so far as the spirit of the present question is concerned, not so much to any fixed principle but to expediency, to any fixed principle but to expediency, unless expediency is itself a principle, as observed in the Address of the Law Commission to the Governor General of India, Lord Ellenbourgh, dated 20th July 1892. They recommended nomination to the General Service first and those nominated were to be submitted to an exemption. examination involving a test of high attainexamination involving a vess of high attainments. On the required number duly qualified by the result of such examination, the appointments to the Civil Service were to be bestowed according to the priority in the examiners' list. These recommendations seem more or adhered to. Perhaps, in the present working a fixed standard of marks in the examination is not compulsory. But this is no drawback, since it is presumed that most of the chosen candidates must be scoring a high standard of marks. rejected candidates, however, are not necessarily provided for. The experience is that candidates of some years differ in general capability from

others of other years, in the absence of set standard of marks. The principle that an Indian would apply to the present Civil Service Examination, is that in the first instance, it should be an Indian examination, since the Service is Indian, namely, that it must necessarily be held in India, and that it should not be open to Nationalities or Colonies that will not, and do not, extend to Indians' ordinary rights of British citizenship. Of course these are not recognized by Europeans as the principles which ought to govern the examination. From an Indian standpoint of view, therefore, the present Civil Service Examination is not satisfactory in principle. It is now time that it should be based on principle and not on mere expediency. When it was started, nobody had in view a possible claim by Indians to the Company's Civil Service, and what was in its inception a matter of mere unconscious routing has been subsequently attempted by the European section of the Services at present to be supported on assumed principle and on supposed 'inferiority' of Indians. As a matter of fact, the Indians have had no trial sufficient to enable any other nation to damn them as a nation incompetent to govern. A few instances of those who were selected or

44k March 1913.]

nominated and who failed in the discharge of their duty are now and then quoted, but at the root of this alleged want of moral courage and character is nervousness in the minds of the selected few as to how they should look in the eves of their employers. But, if these had the assurance by conduct of the European section of the Service that they can act as much independently and on their responsibility as the European servants, no Indian in any part of the Service could be found wanting in any of those qualities so highly praised in the Europeans. The low estimate of character which a subject race always carries in the eyes of the rulers has followed the Indians in all stages of their progress and their connection with their European rulers. Given the assurance that they are as good and that they can safely rely upon their own sense as much as the Europeans, I am sure no Indian can ever be found wanting in any of those priceless qualities. This accounts for the opinion that in the case of the riots, an Indian is less effectual in quelling a riot than a European officer. The backing of the Government power unreservedly given to the European section is deemed wanting in the case of Indian officers, and the result is nervousness and hesitancy, not because the Indian has not got either the power or the knack, but because of the apprehension that his action would be misjudged. No sufficient opportunity is ever given to an Indian and he is termed incapable of 'swimming' before

(ii) Caste and nea distinctions happen to be vividily brought out in the case of an Indian officer, as they are in the case of Indian Juries, while in the case of Rungames they are ignored, though interests and prejudices work as much, though interests and prejudices work as much, having a supposed to When an officer is once selected for Service and is put into a responsible post, he must be given the like of security against allegations and instinutions. Just as a hundrad "Natives" word is valuedes against a European genifeman's word, even so should Indian officers foul as home in service, and superior to doubt and stepicion about their interestry and honesty.

letting him have the chauce of swimming.

-(ii) Now all this arises owing to the pencity of Indian efficies in the highest rank of the Service, and the manner or rather the principle on which the Civil Service Examination is held and conducted is largely responsible for this untoward result, and hence, I say that the Examination is not satisfactory.

"(iv) In the union of Beltish with India it is essential that a mean must be found out in the matter of the Civil Service Examination. The complaint of the Indiana shout the great different times insuramentable, in the way of Indiana successing in the Competitive Examination in Bagdond, is proved by reperience to be absolutely true. On the other hand, the good British place have been set atthicking about how to such have been set atthicking about how to such have been set atthicking about the work of the residence of the rised on the rised on the residence of the rised on the residence of the rised on the residence of the rised on the rised on the rised on the rised on the rised on the rised on the rised on the rised on the rised on the rised on the rised of the rised on the rised of the rised on the rised of the rised on the rised of the rised on the rised of the rised on the rised of the rised on the rised of the rised of the rised on the rised of the

sent up and temptations were proportionately greater. Without a guardian and prone to all temptations the students hardly withstand the beneful influences; and I brought to the notice of the Chairman of the meeting that the chance of saving the reputation of Indian boys afforded by the very sensible Resolution of the House of Commons on the question of Simultaneous Examination was unnecessarily thrown away by the Indian Administrations. Since this meeting, various remedies are being tried, among them being the appointment of a Committee, with its Indian Bureau, who takes care of Indian students. Now, even such a step is not unlikely to be mistaken for undue a step is not unlikely to be asistaken for undue interference, specially, in a country like England, where personal liberty is only next to that in France. The Civil Service Examination is, therefore, not solely an Indian question, but the political and social atmosphere of England also requires it to be taken up seriously. To speak of requiring at thorough knowledge of English life and British history is one thing, and to require scuttes tribiness to formly Indian and she aware in quite striplings to forsake India and stay away in England under very great temptations and risks is another. It is a very serious question, and I have myself seen instances where tremendous expense was simply wasted on boys, whose merits after all failed to secure them the desired object. The disappointment caused by such failures is great and many misunderstandings follow. Though the examination is open to Indian candidates, in effect it is shutting them out, though not altogether. Granting, however, that a more intimate knowledge of British thought is necessary for the Civil Service posts, it is equally essential that European candidates should possess equal knowledge about India and her people. I, therefore, venture to suggest a course, and that is that the Civil Service Examination should be alternately held in Eng-land and in India. In the year in which the examination should be held in India the European candidates should also appear at that very examination, as Indians will appear in England at the examination held there. Unless there is one test and one examination, there will not be that affectionate respect for fellow servants in the Civil Service, which is so essential for the good of the Administration. There will in the long run be a mutual common understanding and feeling between the two peoples, the Britishers and Indians. The difficulties in each one's way will be appreciated by the other, and felse notions of superiority and wrong presumptions about racial prejudices and caste distinctions will vanish. An experiment even on these lines will undoubtedly lead to a very satisfactory solution. Of course, when candidates from Colonies, that will not extend to the Indian people ordinary rights of a citizenship, would be coming into India to appear at the Competitive Examination, willgo back to their respective Colonies laden with the wholesome reflection that it is absolutely unfair to hope to be of the Governing Body in India, when their own Colonies will not deign to look upon Indians as being as good human beings as themselves. Perhaps, the Colonies will desist from risking their fair name, and the desired result will follow.

(v) Now, under this system, it will not be necessary to maintain any proportion or preporderance in favour of European element in the Civil Services, and all that invidious different tiation of the supposed superiority of calibre and morale will profitably disappear. It is this professed plain-speaking about the British superiority in character, intelligence and political capacity, which looks so poor when tested by actual experience in the comparative good service of the European Civil Servant and the Indian Civil Servant, that has been lowering the prestige of the Service. For, now that a good advance is made by the Indian Nation in education and in other matters, a consciousness is growing that given equal chances, opportunities and back-ing by Government, an Indian is decidedly as good and as efficient an officer as a European, if not more. The pictures drawn of the sectional animosities and jealousies by half-informed and impulsive minds, between Hindus and Muhammadans, and among various other sub-sections of Hindus and even of Muhammadans, are decidedly exaggerated and often times interested, and in the heart of hearts are exactly known by almost every thinking Indian to be unreal and are mainly the cause of that unrest and discontent, which is often times made the bug-bear in the matter of appointments. If the fire of rivalry between the various classes in India be not at all fanned by these prejudiced ideas, it will be but a friendly rivalry, much to the credit of efficient service and the fair name of Britain. There has been no fair trial given to Indian intellect and efficiency and so long the opprobrium levelled against the Indians is altogether undeserved. I would not reserve any proportion of posts for Europeans.

(vi) Proceeding next, only upon a supposition that any proportion of posts of authority must be reserved for the European element, I have yet another proposal to offer. I would not reserve any posts as such. Because, after all reservation of posts means reservation of power, which means so much money. I look to this subject from a financial point of view. If European candidates select India as a field for their activities, I do not know why any exchange compensation should be provided for them. According to statistics collected in Lord Curzon's régime, no doubt it is shown that Indians are getting a share larger and larger. But that is not the standpoint from which the Indian Services are to be looked at. In days gone by, when the Company's rule could not be claimed by Indians as their own, the thing was otherwise. But now that the Indian interests are completely identified with the British, whatever conduces to make India more British Whatever conduces of make Indea notes self-supporting, adds largely to the glory of the British Nation, which is preparing India for something higher than a mere garden-land round the British Isles. If there was no principle up to now, beyond expediency in the matter of appointments to the Civil Service, a healthy principle must be sought in the real good of both the Nations, and no loud talk about superiority need mar the good, that British Administration is conferring on India. Let there be no distinction in the emoluments available to the Europeans and Indians and at least 50 per cent. of the entire expenditure on the Indian Civil Service and Provincial Service should be secured to Indians. If at all any superiority in Europeans' claims larger power and efficiency and number of highor offices, all that can be efficiently managed within the remaining 50 per cent. of the entire cost. Of course, I exclude sabordinate services.

(vii) I will now allude to a very distressing question, that of the present Judicial branch of the Civil Services. By a supposed predisposi-tion of the Indian mind to adequately fill only Judicial and not Executive posts, such controversy is gathering round the expediency of appointing more Indians to Judicial as opposed to Evecutive branch posts. I am looking at it from a different point of view. The Judicial branch of the Service is obviously not attracting the pick of the Civil Servants now-a-days. I can find two obvious reasons. One is that, by a miscouceived notion, the High Court Judges are nowa-days considered ineligible as Executive Councillors, as if the Executive Councils of the several Administrations belong to the Executive branch of the Civil Service only, and have nothing to do with the Judicial service, constitution in England, whereunder the Judicial branch is entirely independent of the Exe-entive, ought not to be confounded with the Executive Council's constitution in British India. Here, the Governor General in Council centres in himself powers over the Judicial as well as Executive servants and functions, and can appoint High Court Judges. The idea, therefore, that by making High Court Judges ineligible for Councillorship, more independence of action on the part of the High Court Judges is being secured, is altogether the reverse of the actual facts. The High Court Judges here, are already made to remain under the thumb of the Executive, and only hope to be more self-respecting, if one of them have the privilege one day or the other, of entering into the Council. The reasoning, therefore, if any, adopted since the appointment of Sir Charles Olivant, in debarring High Court Judges from Councillorships, works immense wrong to the Judicial branch of the Civil Service, and stamps the whole Administration, unnecessarily of course, through pure Revenue Councillors, as wholly injudicial, if not prejudicial. It is the main cause of the deterioration of the Judicial brauch. Secondly inferior intellects, invalid constitutions, and easy going lives care to enter the services in the Judicial line, I have heard Civilians candidly say, "what is the good of being in the Judicial line, where there are no advantages of a District Officer's life"? The Judicial line, besides, looks more blocked. I know of an attempt on the part of officers in the Judicial line complaining of High Court Judges remaining in service for full rings tourt sugges remaining in service for full period of 10 years in the High Court, thereby interfailly impairing the prospects of their juniors and retarding promotion in the lower branches of the Civil Service. And a proposal was natually recommended as to whether a period of 6 years' service in the High Court should not be substituted for the present period of 10 years. This was when the Judicial branch used to sample the Executive Conneil with used to supply the Executive Council with Judicial members. Circumstances now are Judicial nembers. Circumstances now are decidedly prejudicial to the claims of the Judicial service. But that is not all. It is an open secret, that the Civil Servants are not open secret, the the distribution are not exhibiting their best powers in the judicial posts. To my mind, less control on the part of the High Court and Government over of the High Court and Government over the Assistant and District Judges is largely responsible for this sad state. A little knack in-wording judgments is a sufficient safeguard against interference by the High Court in. matters of fact, and since the same District Judges in course of time get into the High Court, there is less respect for the High Court judgments or remarks. Not only the Revenue officers often times do delight in leeping aside High Court judgments, but District and Assistant Judges, too, have now-days come to regard High Court Rulingses nothing better than their own. Either these lower Judges are rising in their howbedge of law or the High Court Judges in their eyes are coming down. In any case, it is patent, that the Service on the whole shows signs of deterioration and an effort must be servicely made to find.

out why it is so (viii) Several explanations suggest themselves, but of them one or two deserve earlier notice. While the Revenue and Judicial are both manned by Members of the Civil Service, how is it that no sconer a Member joins the Judicial, he begins to attract such unwelcome criticism. It must be conceded that, the general level of enlightenment is increasing all over India, and in consequence, the charm and the bewilderment that prevented due examination of merit in public servants in earlier days, have now given way to a proper appreciation of the merits of individual Civil Servants; and they do not stand out as competent Administrators as those who hailed from Haileybury or the Civilians of the early sixties or seventies. As observed by or the early states of seventees. As occarred by the Hon'ble Mr. W. Edward Frere, the Bombay Conneillor (brother of Sir Battle Frere), in his Minute, dated 20th March 1869, "Civil Judges must be more than lawyers, must possess knowledge not only of the manners and customs of the peoples, to whom they have to dispense the peoples, or morn deey have to dispense justice as arbitrators of their lives and property, but they must possess adequate knowledge of the prejudices and trains of thought." And all this can only be available to them if they possessed competent knowledge of their language. Mr. Frere observed:—"A lawyer learns these from his youth in England. It is a part of his every day life. He has superior means of information and learning from his practice at the Bar, or should the customs and habits be peculiar to any one part of the country, he has an attorney at his elbow bred and practising among the people, well versed in that, of which he happens to be well versed in seas, or which is nappears to be ignorant, and thus he prepares himself for the Bench." But proceeds Mr. Frere: "In this country it is not so," and in his reasons why so, he winds up by noticing that," here he has to be both the Judge and the Jury."

(ix) Now as a rule, the Civilians by not mixing

(ix) Now as a rule, the Civilians by not mixing with its Indian people and not being of them, know not the language and the requisite know-ledge of the history, the various phases and the extent of either their manners or customs; much less of the predictions of the people. They arounable to client the truth from the wincases and to know they have got it. [Fide paragraph 137 of the Address of the Law Commission, dard 20th July 1842.] They are lacking in the habit of attention and method, and in the art of weighing evidence. In the matter of conservations of comments they suffer a good deal, and it is fortunete, in India (see heavier) to see that, a point of construction of documents is a question of law and not of feet, so that the higher Court may be properly called upon to go into the matter. Judges have more to depend upon translations, and translations can hendly supply correct notions about the

matter of the original. It is often times a wonder, how Civiliaan pick up, so quickly, know, belge of the Indian Vernesultars, but the wonder disappears at the first touch of any idiomatic phrase or a simile. With Revente officers, who are supported in their work by their experienced Colhitais' end Indian Personal Assistants, the case is different. Most of the Civilian Revenue officers delegate numerous and important functions to these responsible subordinate officers and experience and reference and

are safe in signing away orders and reforences.

(x) Such is not the case with Judges. It most be said to the credit of the European Civilian-Judges, that they are not known to have been receiving any assistance in the disposal of Judicial work from their 'Shirustedárs,' as the Collectors and their Assistants are in their Revenue work from their 'Chitais' or Personal Assistants. While facts suffer thus at the hands of Civilian Judges, the law fares equally at their hands. If Revenue officers commit mistakes of law and refuse to look into High Court decisions, in matters where such decisions ought to guide them, and throw away references, the Civilian Judges too are tired of looking into rulings on the complacent assumption that, they know the law sufficient for the case or the occasion. It is a rate sight to see a mufassal Judge (from the Civil Service) looking into and comparing the facts and points of authorities quoted with those of the case in hand. The High Court to which such Judges are, in course of time drafted, in consequence, naturally loss its hold of respect and admiration on such Civilian Judges. Contagion spreads not uncommonly to the members of the Provincial Service but also to pleaders. How would the Bar, which is every day increasing, profit, when such officers are in the Judicial line, especially, during the time such a Civilian Judge, holds the same District. The safeguards that have been so admirably thought out, both in the Minutes of the Bombay Council of the year 1861. 1862, and in subsequent orders, do not seem: to be followed in actuality. No Civilian Judge is commonly known to be possessing his Notebook of Authorities up to date, nor prepared. with his law, and what governs cases in his supposed mastery of facts. The rule of the Civil law that the High Court in Civil appeals will only look to law, makes it easy for easy going Judges, to lay the whole brunt of the case on facts. which when the findings are pronounced in apt language and due formalities, completely disables their judgments from being questioned. ant Judges to whom cases are given for disposal during their probation period, have often time to return the cases at the end of that period with not appreciable record. Mere visits by High Court-Judges will not bring out these defects, which require a commission of enquiry into the actual work of the Judges. The District Judges and Assistant Judges, except whon sitting in Sessions Court, loss the habit of recording evidence, and Court, was the native in recording, evidence, and not one-tenth of the care and pointedness that is discernible in the work of the Sub-Judges is available to them. They do very small Court work and that too burriedly and inefficiently, decline. to hurden the record with notes of facts affecting the trial, take imperfect notes of anecting the time, was imperious notes on evidence of witnesses, or of the arguments, and not infrequently permit their attention to be riveted, upon matters foreign to the case in hand. All this defect arises in consequence of not appreciating Mr. R. P. KABANDIKAR.

continued.

the necessity to cultivate the habit of attention and method and of separating law from fact, and this deplorable circumstance is due to the belief that they cannot be passed over in promotion, which must follow seniority. It is an accepted fact that, "in the Civil Service, selection other than on the principle of seniority, has been found to create dissatisfaction," unless the merit is generally acknowledged, and such cases are very rare.

- (xi) The result is that, in the present state of the improved Bar, it is not absolutely necessary to appoint to Judicial posts, members of the Indian Civil Service, and the posts can be adequately filled by experienced and selected men from the Provincial Civil Service. At least, for filling such posts, Government need not look for fit persons to the results of the competitive examinations in England, and there should be no objection to holding simultaneous examination, supposing that the passed candidates will have the Judicial line to look to.
- (xii) After passing the Civil Service Examination in England, passed candidates should spend two years in India. It is necessary that a thorough knowledge of the vernaculars should be acquired, as also of the manners and customs of the people. Also, familiarity of intercourse with the regats will give the officers an advantage, which will be of immense use in official life. If it is necessary of immense use in official life. It its necessary for Indians to spend a couple of years to undergo the necessary up-breeding and invible the spirit of English life, much more is it casential thata complete knowledge of the language and inner life of the people of India should be obtained by Englishmen. If Indians have to pass a severe examination in a foreign language, why should not Englishmen be put to the necessity of passing a severe test examination in the vernaculars?

(xiii) Members of the Civil Service to be appointed to the Judicial department should be required to pass an examination in law similar to LLB. It is further necessary that they should be intimate with the social customs and habits and trains of thought of the people, to whom they are to administer justice in matters of civil and social rights. In understanding vernacular documents, translations are not always enough to give the correct idea of what is meant, and hence, knowledge of colloquial language is absolutely necessary, as also of the customary laws of the

people.

(xiv) Instead of a simultaneous examination, properly and strictly so called, there may only be a competitive examination in India for scholars who have passed with credit the University M.A. Examination in History and English language, and some administrative subjects for those enter the Executive branch, the usual LL.B. being of course necessary for those who enter the Judicial branch. These men may be later on given furlough to enable them to proceed to England to acquire the necessary training and spirit of English life and so on.

(1) That the Indian Civil Service Examination as at present held is not suited to Indian require-

(2) That simultaneous examination in India is absolutely necessary.

(δ) That alternate examination in England and India, viz., in alternate years, may be given a trial.

- (4) That the idea and proposal to reserve some places for special interests or religious are both opposed to the principles of good government and the pledges on which loyalty rests.
- (5) That, therefore, the Schedule excluding or restricting appointments open to 'Indians' is ultra vires.
- (6) That if it is possible by law to reserve any posts or proportion of Service to any interests, not more than one-third may be reserved for the European element.
- (7) That at least 50 per cent, of the entire expenditure on the Indian Civil and Provincial Services should be available to Indians
- (8) That full support should be allowed to Indian officials in the higher Public Service.
- (9) That members of the Judicial branch should obtain a Councillorship in the Executive
- (10) That at least one-half the Assistants Joint, Additional and District Judgeships should be filled up by selection by seniority and merit from members of the Provincial Civil Service.
- (11) That the appointments to the Provincial Civil Service should not be by selection after examination, but, if necessary, by examination after selection from candidates who have satisfied higher University tests.
- (12) That Indian Civil Servants, after passing in the simultaneous examination, should be enabled to acquire the accessary acquaintance with European thought, discipline and education for two years. Likewise, European Civil Servants should be required to pass a high test of Languages' Examination
- (13) Those wishing to enter the Judicial line should be required to pass the LL.B., and should be attached to Sub-Judges' Courts for one year. Such Sub-Judges should be of a grade not less than Second and should possess 1st Class Magisterial powers.
- (14) That promotion in the Judicial line should depend more upon competency than seniority.
- (15) That there should be a thorough examination of the actual work of the Judicial branch every year.

28362. Supplementary Statement. (i) The idea of easte prejudices had not so much affected the Administration until the Defence Associations sprang into existence in consequence of the Ilbert Bill, for the first time, in the annals of the British Administration which is so admirably based on those true and benevolent principles which were publicly enunciated in the Queen's Proclamation, that they almost rank with the noble declarations of William the Conalmest muk queror to the good British peoples.

"William King grants William Bishop and Jeoffry, Portreas and all the burghers within London, French and English friendly, and I make known unto you that I will that ye be worthy all those laws the which ye were in King Edward's day and that I will that each child be his father's heir after his father's day and I will not suffer that any man do you wrong." Original Charter.

(ii) Until the Manifestoes issued by and the ceches delivered under the suspices of the Defence Associations, faith in the sense of 4th March 1913.7

continued.

equality of the British Administration had not been shaken an inch. True it must be, that the Brahmans saw nothing very distinguishing between their own skástric reservations in their own favour and the provisions of express Legislation declaring the incompetency of an Indian Civilian Sessions Judge to exercise jurisdiction of any kind over a European delinquent; while he was competent to send lifelong a Native to the Andamans. (Fide section 444, Criminal Pro-cedure Code.) The fault lies with the Brahmans that they made it clear to their fellow subjects that a very undesirable precedent that did not attract attention in the beginning unhappily was creeping with redoubled vigour into the Administration, and as a consequence, there is no wonder that the other sub-sections of the Indian population unable to speak out their mind are not hesitating in their pronounced attitude against the Brahmans, but it cannot be far from truth that what is applicable to Brahmans to-day will (if not already applied) apply not only to Europeans but to all those that will gradually be enabled by the English education to perceive the grand truths that history teaches. In this connection, I take the expression ' Brahmans' as equivalent to the expression 'educated' and will not restrict it to castes or creeds. Even the Muhammadan population, having by degrees seen the advantages of the English education, are now able to formulate their views, and British Administrators, while temporarily tempted not to discourage the disparagement of the Brahman class, are yet farsighted enough not to fill the minds of the Muhammadan fellow-brothers with extraordinary hopes, though it is notorious that non-Brahmans are now-a-days given preference over Brahmans in almost every grade or sort of the Public Service and even in the selection of Section-writers. If this differentiation is accentuated, the Administration will suffer owing to incompetency for some time to come, but there will be a marked improvement later on. What will be a marked improvement later on. is absolutely necessary, however, is that Brahmans as a class (caste) must be clearly told of their disqualifications and of the better prospect of directing their attention to commerce, education and industries. (iii) Among the attacks on the simultaneous

examination stands out most prominently the fear that a particular section of the Indian population will swamp the important posts in the Civil Services. A word about what has occurred in the past need be said in this connection. The charge is that Brahmans are filling all important posts. But to be sure they are not filling posts because they are Brahmans, nor have they been selected for their caste, but, because by heredity and opportune circumstances and a ready adaptto altered conditions, they have been satisfying the tests laid down by a sound State policy. It is so much to the credit of Government that such good people have come forward and the State is a gainer in this behalf. Both economy and efficiency have been secured by the Brahmans in carrying out the reformed Govern-ment of the Country. If the smooth working and ment of the Country. If the smooth working and routine of the Administration have been completely secured, the Brahmans may be declared hereafter to be ineligible for service, as they have been told by their old Ethical Code. But, what is essential for the good of the Services is, that the people of the land, the scene of all Government

action, should be more freely admitted. For the sins of the Brahmans the whole Indian people The Brahmans assumed should not be damned. superiority and have suffered and it is desirable that the mistake should be avoided by others, Europeans included. Ever since the earliest Resolutions of the Indian National Congress on the point, the subject of simultaneous examinations has been receiving the attention of all educated Indians. It is pitiable to assert that the masses are not concerned with it. It is undignified to take advantage of the ignorance of the so-called masses. The whole British Administration looks for moral support to the educated section of the people and moral support brings necessarily physical support in its train. All notifications in the Government Gazette do not reach the masses except through the medium of the educated classes, as do not reach the addresses of the masses to their beloved rulers unless through the medium of educated Indians. The ignorant rayat knows practically next to nothing either of the Gazette notifications or of the addresses though the desire to be loyal and to be grateful is always in him, as it is in the educated mind. The whole of educated India is agreed on the question of simultaneous examination, and the conclusions of the Government of India and the Local Administrations. focussed in the Government of India's reply No. 62, dated 1st November 1898, cannot be justified unless on the principle of expediency as distinguished from justice.

(iv) That reply noticed 6 points:—

(1) No concessions to fulfil se-called pledges:

(2) Practical difficulties.

(3) Conceded minimum (Europeans) indispensable. (4) Reduction of Europeans out of ques-

Open competition not the best way. (6) Change would involve withdrawal of

appointments in lowering efficiency by a sense of injustice. Now every one of these points noticed 20 years ago is likely to wear away in course of No nation having the benefit of English education can afford to sit with folded hands and let this reproach continue. Every intellectual and moral effort is being made to elevate the status of educated India. But, most of these points would disappear if trial is given to the suggestion about holding examinations alternately in England and India.

(v) A few more remarks about the knowledge of the vernaculars will not be out of place. In Maharashtra, the Marathi is written either in Medi or the Bálbodha style. This is a peculiar feature, not possessed by either the Guzarathi or the Omarese, which are the most prevalent written and spoken languages of the Presidency. The Balbodha, it is presumed, hurriedly written, has assumed the Modi band and this Modi has been the 'record' all over the Deccan and even in distant States like the Gwalior and the Indore in distant States file the dweller and the inder-until very recently. It has been the script of the Maráthi-speaking race in private letters, commercial and other sorts of correspondence. The European Civilians, as a rule, neglect this script and find the Bilbodha much more convenient to decipher. 'Very few Civilians can

write Modi. In recent years the distrust of office establishment, such as belong to the educated classes, and inability of the Muhammadan and other backward classes to write good legible hand, have, in a manner, enabled orders curtailing the Mode use and let in the use of the Balbodha. How trying it is to write a deposition in Bálbodha of a witness under examination can approximately be judged by asking the Judges to substitute the Roman characters for the present Breish writing, when they take down notes of evidence. By eliminating the Modi from the Record, a continuity of a very distinctive, historic and speedy script is being seconficed to the ignorance of the Civil Services. No solicitude for apparent case should encourage the Civilian officers to desist from knowing t thought and action of the people whom they have to govern. There would be much in the Nodi writing which for proper government every officer must know for himself, as much as possible, let apart the very grave questions connected with comparison of handwriting (which is more sure of identification when in Modi) which the Courts under section 78 of the Evidence Act are often called upon to look into.

(vi) One of the great drawbacks of imported service is a want of the necessary knowledge of the people and the means of their subsistence, on which depend almost all their actions. India subsists on agriculture and the Government must be agricultural in its essential objects, ways and means. The Indian Civilians well versed in history of nations are deficient in intimate acquaintance with Indian agriculture as it exists, and as it should be. The European candidates successful in the Civil Services are now-a-days mostly men belonging to the commercial and industrial classes. They have got no practical connection with agriculture at Home, and even, if they had, the circumstances there are not the same as in India. Practical knowledge was insisted upon in the Address of the Indian Law Commission, dated 2nd July 1842. Speaking about Bombay they observed: "The annually recurring rayalwari settlements require a constant and local intercourse between the Revenue officers and agricultural inhabitants and secure the minute information regarding the different classes of the Village Communities and the various rights in the land for which they thought". Bombay and Madras Presidencies were peculiarly favourable, for in Bengal about 1842 these settlements were drawing to a close and in about two years therefrom the whole was likely to be completed either in perpetuity or for a term of 25 or 30 years. So they desired that for the first three years the Civilian should be attached to the Collector's office. The Land Revenus Code (Bombay), as it is framed, is more for the collection of revenue, hardly gives the Civilian an opportunity to learn about the land. The crop reports, the stereo-typed information regarding ensurer and local wants and conditions collected for the Civilians by subordinate officers according to the supposed trend of the policy, to be followed financially trend of the policy, to be considered manufactured for the particular year, are barrily calculated to give the Civilian that practical knowledge about land and the people living on the land, their stores in hand, means of subsistence during the worst months of June, July, Angust and September, their cattle, supply of fodder, capacity to

manure their fields and their needs in the nick of time in the sowing season and in conservancy of water and the difficulty of securing help in of water and the dimension of securing near in the form of labour in agricultural operations. With a "Laud Administration Code" instead of a "Land Revenue Code" at least Bombay Civilians would be better able to realize their responsibility. Now-a-days, beyond directing the attention of the Circle Inspectors to the field boundaries, the Civilian and, in consequence, the lower-paid Indian official feels as it he has got not much to do, even if for want of prompt and small embankments, the field is washed away or receives less manure to recoup its lost away or receives less maning to recoup its loss properties or the holder has got no seed or bullocks available in time. Already Indian agriculture is suffering from division of land and property, and this lack of attention is largely responsible for the deterioration. The subject of agriculture and allied industries, more especially, the formation, management and functions of Agricultural Associations, not so much like the Credit Societies for borrowing money, but, for real living co-operation between the State and the agricultural Indian population, must be one of the foremost subjects that the Indian Civilians should be called upon to specially study.

(vii) The Magisterial duties should be assigned to the Sub-Judges, and even the clerks of the Sab-Courts, whose appointments are now recognized as qualifying, should be clothed with at least 3rd Class Magisterial powers. The Sub-Judges should also be given power to hear appeals against the decisions of their own Clerks of the Court. The District Deputy and Assistant Collectors should be asked to look into the agricultural and industrial development of the taluka in addition to the realization of revenue. Such of the Assistant Collectors as wish to enter into the Judicial line should be desired to sit in Bench with the Sub-Judge for disposal of cases when they are at head-quarters and where they will have civil work too. The recruitment of the Provincial Judicial Service is almost settled now in the Bombay Presidency. From the Sub-Judicial Service to the Indian Civil Service, Judicial Branch, if necessary, promotions may be made, but the choice should be restricted to men holding Honours' Certificate or LLMs. Unless a Revenue officer is also an LL.B., he should not be given Magisterial powers of the 1st Class. In connection with the training it would be worth while to refer to the remarks in the Minutes of the Executive Councillors (Bombay), dated 20th March 1861 and 27th May 1861, and the Government Resolution dated 20th March 1862.

(viii) I would advocate the maintenance of a college for the O'ivil Services at each of the several chief cities of Provincial Government, This should be of use both for training the Oivilians coming out to India and the candidates wishing to appear for the Civil Service Examination.

The age limit prevailing at present need not be disturbed.

(ix) The Statutory Civil Service need not he revived. Of course, by its stopping without adequate compensatory features, the Indians have been losers, but at least, the charge of nepotism has been successfully avoided by its suspension.

(x) Very few military officers efficiently acquainted with law are available and very few

Mr. R. P. KARANDIEAR. 4th March 1913.]

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capable officers are come across. They are generally more courteous and civil than the socalled civil officers. However, the practice of selecting military officers for the civil posts, which is a relic of the old time, need not be revived in

this 20th century. (xi) There is no good reason to cut down the pay of "listed" posts held by Provincial Civil Servants to something like two-thirds. No difference vants to something ince two-carines, at outcomes in pay should be permitted. It is not only the outward expense that such high Indians officers, have to maintain. I do not agree with those who find fault with such high officers not living after the English fashion. It is proverbial that an Indian officer acts in his social and family connection as the supporter of his relatives more or less immediately concerned, has to maintain a large establishment for purposes not easily discernible to a superficial observer, and must

provide for his family against adversities including his own death or sickness and must lay by enough to maintain the prestige and the name of the good and high position, Government are pleased to confer on him. In the case of Buropeans, they, on retirement, care very little about India and Indians care little too. . But the children and family of a high Indian officer are children and family of a ngu amaza always before the eyes of the Indian public and he really wants full pay to provide against all mossible contingencies. That, he is locally engaged, counts for nothing in view of the above circumstances. The officer is expected to live a chaste life. Travelling in third class does not affect them more than marketing for vegetables would, if in their pensioned condition they are obliged to go themselves or send their sons to

## Mr. R. P. KABANDIKAB, called and examined.

28868. (Chairman.) You are on Ex-Member of the Bombay Legislative Council?—Yes.

28264. Do you occupy any public positions in Bombay now?-Not in Bombay, but in the mufassal,

28365. What positions do you occupy there?-I am on the Municipal Board of Sátára.

28366. To what caste do you belong ?-I am a Kokanast Bráhman

28367. You have put in a Memorandum in the course of which you have answered certain of our written questions?—Yes, I have attempted it.

28368. I do not propose to examine you on the Memorandum except with regard to the specific proposals which you have made. Were we to examine you with any minuteness upon the statements which you have made in your Memorandum, I think we should have to do so in private. You suggest that the examination for the Indian Civil Service should, in future, be held in England and in India in alternate years?—Yes.

28369. What advantage is there in this ?-It would give equal chances to both countries to understand each other. The candidates from India will have less expense to entail during certain years, as will also the candidates from other colonies, and the countries will have the advantage of knowing India better by coming over here to be examined at the Civil Service Examination.

28870. Do you think that a larger body of Indians would go to England in the year in which the examination takes place than has hitherto been the case?—Possibly those that care for a larger education and intercourse with Western thought might go.

28371. And do you think that a large body of Europeans would come to India in the year the examination takes place there ?-Those that find it extremely inconvenient to wait longer on account of the age limit might come out here,

28372. Would it not in practice come to this that the vacancies in one year would be filled by Europeans, and in the other mainly by Indians?— It gives chances to both countries. That is my

simultaneous examination in both countries every year?-That is next best. Simultaneous exam-ination I place first. Next, the holding of the examination in India, and next to that this alternative examination.

28374. You put simultaneous examination first ?-Yes.

28375. And this proposal second ?-Yes, that is second:

28376. You say that in the event of a number of posts being reserved for Europeans not more than one-third should be so treated ?—Yes.

28377. Apart from any legal objection would you be in favour of fixing an irreducible minimum of Europeans?-I am not in favour of fixing an irreducible minimum; I would leave it open to both countries.

28378. You say that from an Indian point of view the present Civil Service Examination is unsatisfactory in principle?-Yes, I have said

28379. And you also say that it is now time that it should be based upon principle and not upon mere expediency. What do you mean by that?—As I conceive it, as originally thought out, it was never understood that Indians would be likely to share the Civil Services of the country, but now that the Rule binds both elements, the Indian and the European, I think it is time to hase it upon some good principle. The principle of expediency, upon which it was based originally, must now give way to a higher one.

28350. Do you regard the open examination in England on equal terms for all races as a scheme based upon expediency?—As it was originally started.

.28381. You urge that at least 50 per cont. of the expenditure incurred on the Indian and Provincial Civil Services should be drawn by Indians?-Yes.

28382. If your scheme for an alternative examination in India and in England were adopted would not much more than 50 per cent, be paid to Iudians taking into consideration the fact. that the whole of the Provincial Service is now 28378. You think this would give a better Indian?—Not necessarily. I do not know that hands to the youth of both countries than many more Indians would pass the examination if

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it were held in India. It would only pave the way for their appearance at the examination.

28383. Your proposal then is based on the assumption that for many years only a small proportion of Indians would be successful?—Very likely, that would be the result for some time to

.25884. You speak at length in regard to the defects which you observe in the Judicial branch and suggest as a remedy that the Judiciary should, in future, be recruited from the Provincial Civil Service?—Yes, I have said that.

28385. Would that he your sole form of recruitment to the Judiciary?—Not the sole.

28386. What other forms would you suggest?—The other one I have suggested is to have some examination. "There may be only a competitive examination in India for scholars who have passed with credit the University MA. examination in History and the English Longuage, and some administrative subjects, for those who enter the Executive branch, the want LLE being of course, necessary for those who enter the Judicial branch."

28387. You would also recruit officers of the Indian Civil Service and they would receive a legal training?—Yes.

28388. How many seam would you suggest that officers should pass in the Executive branch of the Indian Ovid Service before they extract the Judicial branch 7—As it was originally conceived it was three years. They were to be attached to the Collector's office as supercumerary Collectors to give them a chance of knowing the people, and customs, and all that. I should think that should be enough for the present.

28389. Another proposal you make is that a seat in the various Executive Councils should be reserved for members of the Judicial branch?—Yes.

28390. Has not that been the case in more than one instance?—Not in practice, as far as I am able to say, for the last fifteen years, I should think.

28891. Is it not a fact that Mr. Krishnaswami Aiyar was a member of the Madras Executive Council?—I do not know.

28392. I think you will find that there are gentlemen who have eccupied posts in the High Court who have become members of an Executive Council?—I am not speaking of Indians as being able to eater the Executive Councils, but I am speaking about the High Court Civilian Judges. They are now excluded as far as I can see.

28393. But the gentleman, I mentioned, who was recently a member of the Executive Council of Madras, was, before that, a Judge of the High Court?—I should be glad if the instance is followed in Bambay.

28394. Would you like to see the Provincial Civil Service recruited by a system of nomination followed by examination?—Yes, followed by examination.

28395. I do not quite understand the deductions which you desire to draw from the Supplementary Statement which you have put in. The first one deals with the question of castes in their relation to the administration 7—Yes, 28306. Do you suggest that Bribmans, as a class, should be advised to direct their attention to commerce, edecation, and industry, as distinguished from Government Service P—The inference, I suggest, is that it would be much better for the Service if the Bribmans were told that they would be inlegible for service in a contain contingerey. For instance, if there were several candidates, Muhammadan candidates and other candidates, and if Bribmans were also there, that they should he fold distinctly that they would be preferred hat. I think it would be much better to have a proper understanding. They should understand that they should have an opportunity after the claims of the others had been satisfied.

28397. In another part of your statement you deal at length with the question of agriculture?—Yes.

28898. Your view is that the scientific side of that industry is not receiving sufficient attention?—Quite so, I am not satisfied.

28399. I suppose you would admit that whatever science is now being applied in India to that industry, is being applied through the chael of the Service?—Everywhere they look to the Civil Servatam more than to scientists. Anything that comes from him is respected.

28400. The upshot then of your statement is that you would like to see scientific agriculture receiving more attention from the administration than it does at present?—Decidedly.

28401. (Sir Murray Hammick.) Are you a pleader?—Yes, I am a pleader.

28402. Are you pleading now as a business?—I am.

28408. Where do you chiefly plead ?—I plead in the mufassal, in the Civil Courts.

28404. In Sátára?—In Sátára; but I also plead in the Courts in other districts.

28:465. I did not agite catch the relative importance you place spun these two methods of entering the Servise. In your memorandum you propose distinctly an alternative examination, one in India and one in Bugland, and I understood you afterwarks, in reply to the Cataman, to say, you chought that would only be the case if you could not get something else, that you would prefer simultaneous examination in both places simultaneous examination in both places simultaneously 7—02 that is what I have said. I have given preference to simultaneous examination, adding that it is absolutely necessarily.

28406. You prefer that ?-Yes.

28407. Seveni Indian witnessee have feld us that if you have einulaneous cannination, very few Indiana for very many years would get in, and that one of the advantages attaching to this system round he that it would be several years before many Indianas did get in. But under the present which you suggest, of alternative commissions in Engader and in India, I suppose, the immoistite zesult would be that, at all events, and the appropriate that the appointments twoid go to Indiana at ones ?—It all depends upon the shoulded of the cominstice.

examination: 23408. No; because if you had alternative examination in England, from what I know of Englishmen I am quite sure they would not come ut and take part in it; and, therefore, you may take it as fairly certain that the whole of the.

Yes.

continued.

appointments of every alternate year would go to Indians. Do you not think that that would happen ?—If you fixed a certain standard of marks that will not happen. I do not think there is such a standard of marks now.

28409. If you held an examination out here, do you think that the Indians would not get the necessary marks to get into the Service?—That is ex-

28410. Then it would not be much use holding an examination in India if you think it is fairly certain that very few of the enabladies who go up for it will not get the minimum marks required for entry 7-1 am having in view the fear that more Indians will be coming in. I do think that many more will come it; but it will prove the way for more Indians to come in.

28411. You do not want Indians to come in too quickly?—I should be glad to see them come in quickly.

28412. I thought I understood you to say that you would have this minimum number of marks in order to prevent them couring in too quickly?—I should apply it to the Civil Service examination in Lordon.

28413. But, I do not think if you applied it to the Civil Service examination in London it would exclude many successful candidate. They would all get the minimum, unless you placed the minimum at an exceptionally high figure?—Pos-

28414. On what basis are you making your remarks when you say that "Revenue Officers of testimes do delight in keeping saide High Court judgments"? What basis have you for making these allegations against the Revenue Officers of the Bombay Service?—It is not an allegation, it is what really happens.

28415. How do you know that it really happens? What is your authority for saying so?— They do not find any relevancy in the judgments and authorities shewn to them in respect of the work in hand.

28416. How do you know this ?- From practical instances.

28417. Has it occurred when you have yourcelf been pleading?—I have been pleading many years, and I have come across instances.

28418. You have come across instances in your own pleading that Revenue Officers before whom you pleaded took great delight ....?—Not "great delight".

28419. "Oftentimes took great delight in keeping aside High Court judgment": that is your experience in pleading before Revenue Officers?—Sometimes it has been.

28420. And then you go on to say: "They have now-a-days come to regard High Court Rulings as nothing better than their own." That you speak of from your own experience?—Yes.

28421. Surely, the High Court is in a position to set those gentiemen right, is it not? If they regard their own judgments as far better much the fittings of the High Court, the High Court would very soon set them right?—The High Court has no control over Revenue Officers.

28422. The High Court Rulings have nothing to do with Revenue Officers unless they are trying Civil cases?—On points of analogy High Court Rulings are quoted.

28423. It is for the Revenue Officer in deciding a Revenue dispute to attach any importance he likes to the High Court Radings: but the High Court Rading he no consequence in an erdinary dispute, that I have of P-scale points of proc-dure as bear an analogy to the High Court Radings are quoted for the purpose of analogy.

28424. It is only in Revenue matters that the Revenue Officers take this delight in ignoring the High Court?—We need not repeat the expression "delight". Allow me to discard it.

28425. You would like to take that out?-

28426. It is only in these kinds of dispute that they now-a-days come to regard the High Court Ruling as nothing better than their own?—

28427. You think the High Court is unable to control the Revenue Officers in doing their criminal work, owing to the existing law. As it stands it does not give the High Court power enough to prevent these Officer from ignoring the Rules of the High Court?—Yes, in many cases.

28428. That you say you know from your experience in pleading ?-Yes.

28429. How do you come to this conclusion. "Inferior includes, invalid constitution, carry fulfiller in related to state the Services in the Juddeal line." What experience have you for making that statement !—During my experience of thirty years, sa pleader, I have even Assistant Judges who have been in the Service in the Juddeal, thus who would have preferred the other line if they had had better constitutions.

2849. That means to say that a man who, by constitution, does not feel himself on to the touring life of a Collector, naturally, takes the Judical line. That, of course, is quite true. But what I sak you to say is, how to you come to knew that inferior intellect take the Judical line in Bombay? I have been told on good authority that some of your Judges in Bombay me intellect tally the very best men in the Service?—Undoubtedly they are, I am proud of them.

28431. Why do you say that the inferior intellects take the Judicial Service?—Such cases are rare.

28482. Is it that the inferior intellect is rare, or is it the superior intellect which is rare?—Tho

inferior intellect is zere.

28438. Then it is not the rule that inferior intellects enter the Service in the Judicial branch?—
No, it is not the rule. It is one of the facts; it is not the rule.

28434. It is not the rule that the inferior intellects of the Indian Civil Service have recourse to the Junicial line?—No, it is not the rule.

2843b. Further on, you say: "Girlim Judges are timed looking into the Bullings on the complicated assumption that the they know the law sufficiently for the case, or the occasion." I not also give the same question them. I not the High Court able to cuttout these Judges who pay no regard whatever to the Rullings' on the complector to the Rullings' on the complector than they know have "J These are Girli cases. It not the High Court able to control them?—The High Court has the power. 2843b. Does it is not confident crateful Judges?—

In the High Court, according to the law only a very few cases come up. In the second appeals, for instance. The High Court has to look to questions.

continued.

tions of law only. Questions of fact have to be

decided by the District and Assistant Judges.

28437. I suppose the High Court very easily controls the Judges who pay no regard whatever to their rulings? Have you any evidence that the High Court is dissatisfied with the existing Civil Judiciary?—I have seen remarks in judgments oftentimes passed upon the District Courts pointing out their mistakes.

pointing out their mistakes.

2848S. Otherwise you have no reason to suppose that the High Court is dissatisfied with the existing Judges F—I cannot say.

28449. Your theory is that these ingenious Civil Judges, by managing to found their judge. own Junges, by managing to being their fung-ments upon facts instead of law, evade the possibility of their judgments being upset by the High Court?—I will not introduce any

insinuation.
28440. You say: "The Judges lay the whole brunt of the case upon facts, which, when the findings are pronounced in ant language and due formalities, completely disables their judgments from being questioned "?—I bring it out as a

28441. You say, that what you wish us to believe is that Judges in Bombay manage to rest all their judgments on facts instead of points of law, for the purpose of getting rid of any control which the High Court may have for the issue of their cases?—Never like that.

28442. Surely, your statement means that. You say: "The rule of the Civil Law that the High Court in Civil Appeals will only look to law, makes it easy for easy-going Judges to lay the whole brunt of the case on facts." That is to say, they take care to lay their whole case on facts in order to avoid the possibility of the High Court
upsetting them on appeal?—It is not in order to avoid it. But that may be the result.

28443. Then, what is it for, why do they do it?-Possibly they may have no inclination to go deeper into the question of law.

28444. You say they do it to avoid going into questions of law. I have been misinterpretting what you meant. I thought you meant that they did it in order to prevent the High Court from upsetting their judgments. It requires a good deal of inganuity to bring about this result which you desire?-No, it is a question of fact to be found. There is no ingenuity about it.

You are also of opinion that these same 28445. Judges "do very small Court work, and that too hurriedly and mefficiently, and decline to burden the Record with the notes of facts"?—Yes.

28446. And all this goes on under the eyes of the High Court of Bambay?—I do not think the High Court is supplied with the notes of Judges in

Civil appeals. 284+7. Then we must regard the High Court of Bombay as very unable to supervise and keep in order their subordinate Judiciary?—My point no over oner successory (- My point is that in the appeals heard Judges oftentimes do not preserve the notes of the arguments, and, therefore, it is not quite possible or convenient to the higher authorities to look into it.

28448. But surely, if the High Court discovers that the notes which the Judge sends up when appeals are heard are very inefficient, the High Court has the power to order the Judges to keep better notes ?-I do not think the District Judges

ever retain such notes.

28449. I will put it in another way. Besides these complaints of yours, have you seen in any of the legal literature (I suppose you have law papers in Bambay) comments upon the Judges to this effect? If the state of the Judiciary is as bad in Bombay as you have made out, surely, there would be articles in the Press commenting upon this absolute inefficiency of the Judiciary in Bombay. Have there been such articles in the English or Indian legal Press?—You will not find Indians taking notice of these things. It would be very difficult for them to substantiate.

28450. And therefore they will not take notice

of it?—That is so.
28451. But, as a matter of fact, they have not taken notice of it?-Some of them have.

28452. In a few cases they have, is that what von mean?-Yes,

28453. (Sir Valentine Chirol) You throw a ood deal of the blame of these shortcomings of the good deal of the diame or onese successfully on the absence of the powers of the High Court, or on the powers being non-exerciseable ?-I have put it on the ground that there is no incentive to work

28454. You practise, I believe, chiefly in the mufassal?-Yes, sometimes in the High Court, and sometimes in the mufassal.

and sometimes in the munassa.

21455. I notice you have not any more regard for the High Court of the country than you have for the Judiciary generally?—I do not

understand your question,
28456. Your remarks have shown that you
have very little regard for the Judiciary, and you also entertain some unfavourable opinions of the High Court?—No, I hold the High Court in

28457. You say: "The High Court Judges are here already made to remain under the thumb nere agreedy made to remain under the thumb of the Executive, and only hope to be more self-respecting if one of them have the privilege, one day or the other, of entering into the Council"?— That is one of my arguments,-if they get into the Council. 28458. You have stated: "The High Court

Judges are made to remain under the thumb of the Executive, and only hope to be more self-respecting "?—I put that as a possible argument to meet as argument. I was under the impression that the High Court Judges could not be made Councillors, because they must be made more independent. That alone is the argument, as I under-stand it. If I am wrong the other statement doss

not follow. 28459. You are not of opinion that they are wanting in self-respect new ?- No.

28460. Nevertheless, you say that: "The High Court Judges are here already made to remain under the thumb of the Executive, and only hope to be more salf-respecting if one of them note to be used some responding it one of them have the privilege, one day or the other, of entering into the Council"?—The position is that the High Court Judges are kept aside. The scheme wants them to be more outside the control of the Execu-That is the idea.

28461. (Mr. Madge.) You advocate an alter-28461. (Mr. Magge.) I out advocate an atter-native examination in India for the Civil Service every other year?—Yes. 28462. You believe that the standard of

25462. You believe that the somether of education is such, in this country, that companitively few men, if any, would get in by passing successfully; is that so?—Until the Colleges are established which I have advocated in another

passage. 28463. We are speaking of facts as they are. For many years do you think that the standard 4th March 1913.

Continued.

may remain so low that either very few or no candidates will succeed in passing it?—I say, very few, until the colleges are established.

28464. We are speaking of facts as they exist-For the next year or two, do you think that if there was an alternative examination in India many, or any, students would pass?—I do not take a pessimistic view of the matter. Some may

pass; but there will be very few. 28465. Have you any idea how many will pass?—I should think ten per cent., at least, will

28466. Ten per cent of those who went up?-Yes ; 10 per cent, of those who went up here.

28467. You probably know before, the examination is held every year, that it is with the object of filling a certain number of vacancies. Supposing the vacancies existed in one year were Supposing the vacancies existed in one year free twenty or thirty, and the students who succeeded were five or ten, how would you propose to fill up the other vacancies in that year?—The contingency

might occur in the examination held in London too. 28468. You want them in alternate years. In the year in which, say, thirty vacancies were declared, and ten or fifteen students succeeded, how would you fill up the balance of varancies for that year ?- I am hopeful that European candidates

will come over bere. 28469. You hope that Europeans who would have the prospect of waiting one year would come over here?-If they do not pass there, they would

oper ney — It may on one pass mere, new you'll come out here the party year. 28470. You would expect that ?—As much as we are expected to go to England. 28471. Did I understand you to say that, if a Revenue officer ignored any ruling of the High Court Judge, the High! Court had no remedy against that ?—It so far as I understand, none. 98479. Not some in the sections which its 28472. Not even in its revisionary jurisdic-

tion?—No. 28473. Do you think it necessary, or desireble, or otherwise, to maintain the British tone of the Government in this country ?- Decidedly.

28474. Do you think that it can be maintained without a sufficient number of British

officers?—Yes.

officers (-1 tes, 25476. You think it can?-I say on the analogy of the bloghul Rule, when there were Hindus who were in the higher appointments, 26476. I do not wish to descend to frirolity

at all, but to give an apt illustration, in the book called Alice is Wonderland there is the instance of the grin of the Cheshire cat remaining on the tree after the cat has disappeared. Do you think that after all the British Officers had disappeared from this country the British tone would remain? -I have never contemplated a contingency of that kind

Eng. 28477. But if you think the tone can be maintained without the officer, is not my question regionable?—We are taking notice regionable?—We are taking notice are achieved in the continuity of the presenting of administration can be so perfected that it does not major what the presenting of the officer is 2.—I about think so.

28479. You think it is?—Yes. 28480. Still, if a defect turned up in the magninery, as sometimes turns up in the most perfectly manufactured clock, how can it be re-medied ?—That yould depend upon the contingency,

28481. The contrast here is between the perconslity of the officer and the perfection of the

machinery. If a defect were found in the machinery a strong personality would set it right; but supposing a defect were found in the personality the machinery could not set it right?—If the standard is maintained I do not think there would

be any defect in the personality. 28482 You say: "the schedule excluding or

restricting appointments open to Indians is ultra vires." May I understand what you mean by the expression "ultra vires"?—We take it that the law of the country is laid down by the Proclamation. 28483. Ultra vires means going beyond the

provision of some law?—No. 28484. What does it mean?-The fundamental principle of Government by the Queen's

Proclamation.

28485. The Queen's Proclamation says that a man's race shall not preclude him from any post. It does not say that any man of any race, no matter what his qualifications, shall be entitled to any post?—It is exactly coming in the way of appointments going to Indians if you merely limit it to a certain schedule.

28486. Previous to the Proclamation and the Charter, Indians were not admitted to the Service. The object of all Declarations was to open the door to the Service, not for every Indian who thought himself fitted for a post, but to those who qualified under given standards?—I understand the matter in this way. The doors were all opened by the Proclamation and regulated by certain

restrictions.
28487. The restrictions could only be imposed with a view to securing efficiency, surely?—That

may be. 28488. I do not wish to go particularly into any questions of race or caste differences, but do you not think that the Englishman in this country. in certain crises possesses a certain detachment from all local influence? I do not put it at all offen-sively. Do you think that Englishmen possess a sense of detachment from local influences which is of use to them and to the people themselves in great

crises ?-That is rather a broad proposition. 28489. It is a question for your opinion, if you please?-I would not answer so general a question.

Sometimes, they may, 28490. And sometimes they may not. I ask you if it is possible?—Yes, it is possible.
28491. (Mr. Fisher). Am I right in supposing that you would like to separate the Executive from the Judicial?—Yes.

28492. And that it is your opinion that under the constitution of England the Judicial branch is entirely different from the Executive?- Yes, that

my impression. 28493. Are v

Are you aware that for several centuries. of English history Executive and Judicial functions have been discharged by Justices of the Peace?-

28494, And that this particular union of functions has been greatly praised by many foreign observers?—It all depends upon the particular. circumstances.

28495. Still, in the light of those observations you would no longer held that under the Constitu-tion of England the Executive branch is completely separated from the Judicial ?-That is my impres-

sion for the present 28496. And if simultaneous examinationswere granted you would still think it desirable to separate the Executive from the Judicial?—I have my idea about it, but this is not the occasion. Mr. R. P. KABANDIKAR.

Continued.

to put it forward. If you wish to have simultaneous examination restricted to the Judicial posts. for instance, hold the simultaneous examination here and give all the posts in the Judicial Department to those who passed the simultaneous exami-nation. We want it separated like that. It is merely a personal opinion.

28497. You do not, therefore, think that the discharge of Executive functions helps a man at all in his work as a District Judge?-I never said that. I say that three years' experience of

Executive work is necessary to propare him. 28498. You do think that the Executive and Judicial should be united?-Not to the extent

which we find now.

28499. It is a question of degree ?—No, it is in the beginning. It is only after that there is no degree.

28500. (Mr. Chaubal.) Are the observations which you make in your statement, and upon which you have been questioned by Mr. Fisher, observations which you have made from your experience, as a Pleader, practising in the mufassal

Courts ?-Yes. 28501. The age for the admission for recruitment to the Executive branch is twenty-five, is it

not ?-Yes.

28502. And the age for recruitment to the Judicial branch is thirty, is it not?—Yes.

28503. So that, generally, those who are recruited in the Executive line would not be expected to have the legal training which the study for the LL.B. examination gives and further practical experience of it at the Bar ?-It

28504. Do you think under those circum. stances that the subordinate Judiciary in this Presidency is recruited from the proper material. looking to the duties they have to perform?— Hence, I have recommended the LL.B., as a necessary test for those who would be clothed with Magisterial powers of the first class.

28505. On account of their being recruited from inadequate material, as a practising lawyer, do you experience the effect in the dispensation of justice of this inefficient training in the subordinate Magistracy ?-I am not quite sure about that, because experience in the service in the exercise of Magisterial powers for a in the exercise of maginerical powers for a considerable number of years makes up for defi-ciency in a knowledge of the law. 28506. You mean that after a time they get

over the deficiency in their training ?-Yes.

26507. Would you like to see the separation which you advocate, carried higher up among the Sub-Divisional Officers and the District Judges ?-Yes. I would, however, make a distinction between Preventive powers and Judicial powers, as such,

28508. That is to say, if the Preventive owers under Chapter 8 were left to the Executive Officers, then you think there is no harm in a complete separation of the two?-No, not in the

28509. I agree with you that work for three years in the Executive Branch at the start may be useful; but I understood you to observe, in answer to one of the questions, that you consider it necessary?—In view of the fact that they have no opportunity to mix with the ryats.

28510. That is a remark, I suppose, which only applies to the Buropean, and not to the Indian?—Yes.

28511. But to an Indian who is wanted for properly discharging the duties of a District and property discharging she duties of a Director and Sessions Judge, do you really think that perform-ing the duties of a Supernumerary Collector or Assistant Collector for three years is absolutely necessary?—In that case I would reduce it to one year.

year.

28512. As a matter of fact, you have known
instances in this Presidency of District and
Sessions Judges having done their work well as
District and Sessions Judges without ever having served in the Revenue line of the Executive Department?—Yes, I have.

28513. And most of them were successful and efficient Judges ?—Yes.

28514. (Lord Ronaldshay). Which Schedule are you referring to in No. (5) in the List at the end of your Memorandum? You say "The Schedule excluding or restricting appointments open to Indians is ultra vires "?—I am referring to the Schedule attached to the Act of 1861.

28515. Can you tell me what there is in the Schedule of the Act of 1861 which in any way excludes Indians?-I should think it restricts Indians to certain appointments only.

28516. But is not the Schedule of the Act

of 1861 merely a Schedule of places which are to be reserved for members of the Indian Civil Service? Do you know what the Schedule of the Act of 1861 is?—Yes,

28517. What does it do?-It reserves certain places as being made available under the Schedule. 28518. It reserves certain places for whom ?-For Indian Civil Servants.

28519. Are not Indians eligible for the Indian Civil Service?—They are.

28520. And if Indians are in the Indian Civil Service, are they prevented by the Schedule of the Act of 1861 from holding any of these places?— Not quite so. They cannot rise higher than the

Not quite so. Any scheduled appointments.

28521. What prevents them from rising higher than the scheduled that the scheduled t than the scheduled appointments?—The scheduled appointments are there, and they are enumerated as being available to Indian Civil Servants.

28522. Certainly, I agree that the Schedule says, that certain appointments are to be reserved for the members of the Civil Service, but it does not say that or entain appointments are to be reserved only for Europeans. What do you mean when you say that the Schedule excluding or restricting appointments open to Indians is ultra vires?-Technically, it comes to this: the Schedule gives a certain list of appointments, and those only are available to Indian Civil Servants, and, in respect of those, Indians are to be admitted; but there would be other appointments which are not in the Schedule, higher appointments than those in the Schedule. If you are specifying one thing you are excluding another.

28528. Is there any schedule which actually

excludes Indians from any appointments?-No. there is no schedule excluding them, that I know of. 28524. Am I to understand, then, that you

would desire to delete this paragraph 5?—I do not like to have this Schedule at all. All appointments must be open to Indian Civil Servants, whoever they are, under the Crown. 28525. Are Judges of the High Court in the

Bombay Presidency prohibited by Regulation from occupying the positions on the Executive Council?-I know of no rule or law which prevents their appointment.

28526. I do not quite understand what you mean. I understood you to say that they were debarred?—They were debarred in practice, as they are now-a-days. I do not find any instances whatever now as there used to be in former times.

28527. You merely mean that, as a rule, the Judge of the High Court is not appointed to the Executive Council ?- The practice has grown to be

28528. But there is no regulation laid down? -There is no regulation, but it is my fear that they will make one.

28520. (Mr. Heaton). Are you not referring there to some pronouncement made in Parliament by the Secretary of State?-I am under that

28530. That there were not to be appointments of the High Court Judges to be Members of Council ?-Yes.

28531. You have forgotten Sir Edmund Ful-ton: he was after Sir Charles Olivant?—Yes,

28532. It is as well to get the facts right. Do you think that there is deterioration in the District Judges ?-I think there is deterioration.

28538. You think that they are not as good now as they were formerly?-Until they had the chance of getting into the Council; that is the

point of time.

28534. That takes you back, after all, a very 2007. Institute you much alter an, a very short way. Sir Edmund Fulton only left India in 1907 or 1908. It is quite recent. Do you think it is possible in that very short time that any perceptible deterioration can have set in ?-There are two reasons. One is, that there is a feeling that the line is blocked, that there are no chances of promotion; and secondly, that ther cannot transact the business without trouble. After all there is no incentive.

28535. That is your deliberate opinion?-

That is my opinion.

28536. Is not the ground upon which Revenue officers in doing Revenue work do not pay attention to the High Court Ruling because the High Court Rulings are not relevant, and that they have no bearing on the matter with which they are dealing?—I do not think so. They are shown because they are relevant. If opinions

differ they are right.

28537. I have no doubt they are shown because they are believed to be relevant; but is not the opinion of the Revenue Officer that, as a matter of fact, they are not relevant, and that is the reason why he does not apply them?—That is not always the case. I should think they deal

more with procedure, and Revenue Officers do not regard procedure. The Judicial line is more technical. 28538. I have been in the High Court new for six years, but I cannot recall High Court Rulings dealing with the procedure of Revenue Officers as such ?—I have mentioned that they are quoted for analogy.

28539. Then you say a good deal about facts; and it is rather a complaint with you that Judges dispray of cases on the facts and do not write very much about the law?—Yes.

28540. Did you ever hear of Lord Bowen's dictum that if you can get the facts right, in nine cases out of ten the law will come of itself: did you ever hear of that? - Yes.

28541. Do you think that is true?-Yes, that

28542. That means in nine out of ten cases, to take that particular proportion, that if the Judge will only give his attention to the facts and get them right, he will have no difficulty, whatever, in

dealing with the law?—Provided that he knows it. 28543. Provided that he knows it, quite frue, But whether he knows it or not, surely his first

business is to get the facts?-Yes.

28544. It is the most important business?—I should think they go together. But the facts cannot be separated from the law. To a certain extent the law must be known, and the facts must he ascertained according to the light which the law throws on the facis.

28545. Your principal objection to Judges not taking down notes, I understand, is, that they do not take down notes of your arguments? - Nor of

the motions made during the case.

28546. It does not refer to the notes of evidence ?-Sometimes it is the notes of the evidence, but mostly notes of objections made to certain

points, such as must appear in the proceedings. 28547. (Mr. Jaglekar). Towards the end of your Supplementary Statement you say "Already Indian agriculture is suffering from division of land and property, and this lack of attention is largely responsible for the deterioration. The subject of agriculture and allied industries, more especially, the formation, management and functions of Agricultural Associations, not so much like the Oredit Societies for borrowing money, but for real living co-operation between the State and the agricultural Indian population, must be one of the foremost subjects that the Indian Civilians should be called upon to specially study." Do you know that every Indian Civilian has to go through an agricultural course ?-It all depends upon what course it is.

28548. Every Indian Civilian as soon as he comes out has to pass through an agricultural course ?-Not the kind of thing I want.

28549. He has to go through an Agricultural course at an Agricultural College?—It is not the kind of thing I wast. What I urge is special regard to the formation of Agricultural Associations which would bring about intensified agriculture and the allied industries. I do not find that in the course of agriculture and in the allied industries.

28550. You have said, speaking about the knowledge of the vernaculars, "The Balbodha, it is presumed, hurriedly written has assumed the Modi hand." Why do you say that? Do you ot think that Bálbodha is more legible than

Modi?-Yes, I should think it is.

28551. In No. 11 in the list at the end of your Memorandum you say : "The appointments to the Provincial Civil Service should not be by selection after examination, but, if necessary, by examination after selection from candidates who have satisfied higher university tests." Do you think this would secure due representation of all classes?-It ought to.

28552. Because you think that the selection must be by competition?---I put in selection first,

and examination afterwards.

28553. But, after examination, would you give separation to the different classes that pass?—No. In selecting you may have regard to various interests. Select the candidates, and subject them to examination.

28554. But suppose the candidates of one class come up high, would you give them appoint-

concluded.

ments, or have separation?—Selection should be made. It all depends upon how you select,

28565. What do you mean by saying that examination is made after selection? It will not necessarily secure the representation of all classes ——I cannot say that, if you select better men from all classes and grades before examination.

(Adjourned for a short time.)

ROBERT BENSON EWBANK, Esq., I.O.S., Acting Registrar of Co-operative Societies.

Written answers relating to the Indian Civil Service.

28557 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?-I accept the system as generally satisfactory in principle. No doubt, the old method of nomination had advantages which have now been foregone. Some of the old Anglo-Indian families built up their high traditions and local prestige through several generations, and their scions naturally commanded in the districts where the family was known far more influence than could be explained merely by their own attainments. Many of these have been excluded from the service by the high standard of the examination. But, political and personal influences had so much to o with many nominations that the adoption of the open examination system was absolutely necessary. I can suggest no other system which would be equally efficacious in checking the intrusion of any standard except that of intelli-gence. Since, however, intelligence is not the only element which goes to make up an efficient officer, I have suggested some modifications of

the present practice in reply to question (2).

2558 (2). In what respects, if any, do you find the present system faulty in detail, and what clarations would you suggest 7—The qualities which I would desidease in the head of a district are -(-)-(-) Capacity to understand practice of the content of the co

scool and college. The Doard should have absolute power to disqualify for stated reasons. 28559 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the 23556. And after examination, if one class cames up?—I do not think the contingency is likely, because, it will reflect very largely upon the selection. You make the selection first, and from among the selected candidates you have to choose those that come up for the examination.

(The witness withdrew.)
(Adjourned for a short time.)

advantage of Indian interests? Please give your reasons?—I consider that the combination of the Indian and Colonial examinations is primarily to the advantage of the Colonial Civil Service since it tends to the manifectance of the high standard of the examination. It may also happen that able candidates who would on a system of separate examinations have tried only for the colonial service are secured to India by the present method of joint examination. About the Hunn Service I am doubtful. It certainly happens that condidates whose only ambition is a well-paid office

of joint examination. About the Hous Service I am doubtful. It octainly happens that conditudes whose only ambition is a well-paid office side in a Government office in Incoden, missing their object constines, come out to Iudia in default of anything better officing itself. They are not the type that is required. If the examinations were separated, I do not think that mus mould present themselves for the Indian examination. One to other hand, there can be no doubt that the addition of a number of valuable posts as prizes in the examination thempleible candidates and help to maintain a high standard. 28590 (f). What is your opinion regarding a system of simulaneous examination in India

system of simulations remainstance in India and in England, open in both cases to all material-tors redjects of His Sidjesty 7—I while it absolutely necessary to continue the system of a single examination in London in one system of a single examination in London in one to extreme that a very large proportion of the candidates shall always be Englishmen. In the Cro'll Service the Baropean element has in my option randed the minimum limit consistent with maintaining the predominantly western and British tone in the administration which is necessary while the relations of India to Parliament remain what they are. So long as the principle of the open compelition is allowed to work unfedered and so long as the findian Cro'll Service examination is one which can easily be examined for, I cannot contemplate a simultaneous examination without

tore-boding. 28561 (9), What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I strongly advocate this proposal, with the rider that a fixed number of posts should be reserved for Englishmen no less than for Natives of India. I would confine examination in Loadon to born Englishmen and would exclude all colonials, so long as the immigration laws of their colonies were such that the India Office is unable to approve of them, and all Indians who should be required instead to present themselves for examination at Delhi. Indians educated for 4 or 5 years in England, at an impressionable age, are, I submit, in many ways, less useful to the service than those educated in India. They are, in a sense, denationalised, since

the beliefs and codes of their childhood are often broken up by long residence abroad. They are, therefore, not really representative of their class and race. In my converse with Civilians who are and race. In my converse with a struck with the fact that they seem quite as slien to the people amongst whom they are working as myself. It seems to me that a good Hindu or Mussalman well-versed in the knowledge of his race and creed, and with a further knowledge of general Modern History, Political Science, Ethics, Logic, Metaphysics, Economics and kindred subjects, is more likely to be a good and sensible man than a person who has had the course of his education violently wrested from its normal lines by a complete and absolute change of environment, at an age, when his judgment and sense of the proportion of things was still undeve-loped. For this reason, I advocate a separate examination for Indian candidates in India which should be different to some extent to that set in England. A certain number of posts should be carmarked for Indians. The proportion which I would suggest would be 5 per cent, of the total number open to the Civil Service plus all addi-tional appointments (Municipal Commissionerships, new Collectorships, etc.,) which will necessarily be created with the growth of the population and the increasing complexity of the administration. My advocacy of this system is, however, conditional on the proviso that the present cadre of posts open to the Civil Service, less

5 per cent., should be reserved for Englishmen. 28562 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admis-sion to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?-The Indians selected in the manner suggested in my answer to question (9) ought in my opinion to be subject to approval by a Board of Selection, similar to that mentioned in my reply to question (2). If the single examination in London s continued, implying, as it does, a complete English University training for Indian candidates, then I do not consider it necessary that all classes and communities should be represented on the ground that Indians educated in England are not really representative of their own classes and communities. They are not even altogether representative of the Englisheducated classes of Indians, which are themselves not completely representative of the Indian Races. If a separate examination for Indians were held at Delhi, I should so arrange the subjects that every community had an equal chance of success and would then allow competition to operate untrammelled

-28563 (1b). If the system of recruitment by open competitive examination in England is retained, please state the age-fullist that you recomment for candidates at such examination, giving your full reasons. Do you consider that the age-finitis should be fixed to attract candidates of the normal school-leaving age in Raighand, or candidates who have completed a University.

covine, or candidates at an intermediate stage of education!—I recommend that the age-limits should be 31 to 23 on January 1st preceding the examination, because the average undergraduate takes his degree at the age of 23 and it is desirable not to subject him to the necessity of putting in a further year at a crammer's. Under the existing system men who fail at the age of 28 obtain high places after a course of cramming at the age of 28. This was particularly evident in 1906, when several failures of the provious year under the old age-limits, passed out high up at their second attempt. This means that the examination secures not the ablest men but the best crammed. The examination for the Indian Civil Service is one for which it is particularly, easy to cram. I think that if the examiners were warned to ask more questions cutting ecross the ordinary course of study than they, now do, and if no interval were left for work with a crammer one of the faults of the present system would be eliminated.

system would be eliminated 28564 (20). On what principle should the subjects for the open competitive examination befixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?-I entirely accept Lord Macaulay's principle. The course prescribed should not end in a cul-de-sac for those candidates who fail in the examination. Otherwise, the risk of failure-at the advanced age at which the examination is now held would deter many promising men.

from competing. The work of administration
in India is very heterogeneous. What a man
gains by specialised knowledge of one branch of
his duties, might be counterbalanced by a lessbroad out-look on other branches.

aread out-fook of other tenness.

28556 (42) Hesse add such remarks as you,
may desire to offer on any points relating to the
system of recruitment for Indian Civil Service
posts which are, not covered by your canaversto the foregoing questions 2—14 would like to
insist-particularly on the point that the examination for the Indian Civil Service should
be so modified at to make it less possible to gain,
success by cramming. The questions set at
present usually follow the same lines as the textbooks and lectures. Consequently, it is easy to
learn stereotyped ensewers beforehand and to get
nearly full marks for half assimited knowledge
that candidates have totally forgotten before
their arrival in India. For example, an examiner
should not sak "I'mes the rise of the Portuguese,
power in India" or. What is implied in the ideaof causation." He should rather so frame the
question as to make sure that the candidate had
mastered his subject and could form just-opinions
of the various aspects of it and maraball his
points effectively. For instance, the above
questions a judy turn "Contrast Portuguesa, power
controlled in the Contrast Portuguesa and
French methods of estellement in the East";
"Are any traces of the modern theory of causation
discernible in Plate or Descarters." A corollary
this suggestion is that a conlidate should

only be required to answer 4 questions in three hours. So long, as he is compelled to answer 6 questions he has very little time for thinking out his answers and can searcely do more than pour out the knowledge which he had crammed up beforehand. To seems the same object I would also have a ring saw camination in all subjects except English Composition, Mathematics and Science.

28566 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? you recommend the continuance or abolition of this system?—I think that a year's course of preparation in England is valuable to probationers, because-(i) it affords a useful period of rest and recuperation after the ferment of the University Examinations followed by the Indian Civil Service Examination. (ii) It enables a candidate to learn something of India before proceeding there. If the caudidate spends his time at one of the great Universities, which have arranged a special course for Indian Civil Service men, he will have the advantage of associating with and being coached by men who have had Indian experience. The substance of the lectures heard will possibly be the least valuable part of the training he receives. I am of opinion that a course of one year is sufficient for the above purposes. The course of instruction itself is of purposes. Ine course of instruction tests is of little practical use. All Bombay probationers, for instance, are trained in Marákhi, a language which is spoken in one division of the Presi-dency only. The law lectures are almost meaningless to men with no practical experience of law. The Criminal Procedure Code is learnt in much the same way as one would memorize a Bradshaw. None of the optional subjects are of any direct practical use in this Presidency,

of any wheel product also in this steament, except Hindu and Mussalman law.

28567 (51). Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for · probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) or the open competative statistication, and (s) under any modification of that system recommended by you?—I recommend that the examination in the Code of Criminal Procedure and the Evidence Act (without books) be and dropped on the ground that in practical work the two Acts, in question, are always available for reference, and that the study of them divorced from practical experience is in no way conducive to a general understanding of Indian Law. In their place, I would ask candidates to write a judgment on a criminal case, the full record of which would be placed before them; record of which would be paper on general jurispru-dence with special reference to India. I would also add as optional subjects "the Political History of India since the Mutiny " and " Land Revenue Systems in India." The subject is suggested because the present course of Indian History stops at the Mutiny and does not, therefore, prepare the probationer for the conditions which he will find actually existing. The second is proposed because the prime duty of an Assistant Collector, as his designation implies, is to collect land revenue, and he ought to be familiar with the principles on which he is required to act.

28568 (72). The present theory underlying the conditions of service in the Indian Civil Service is that-(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per measure is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himmake it probased that seed ouncer will mad min-self officiating with practical permanency in, at least, the lowest of those appointments after the completion of eight years's service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of re-cruitment were lowered?—I accept the system as admirable on paper. It happens, however, that at least in this Presidency officers do not, as a rule, draw Rs. 1,000 per month after 8 years' service. If the age of recruitment is changed by one or two years only, I think no alteration in the system would be required. If it were reduced by more than two years I think a corresponding increase in the period during which inferior posts are held would be necessary.

28569 (80). Does the allowance of 39 per cent, on the number of superior posts give the night number of joint of others for the work of the administration of your Province? If not, please state what excess or deficiency in your crimino exists, giving your reasons in detail?—I-bappears from the last Other List state there are of supernumerary Assistant Collectors waiting for appointments a second assistant, susteds of 25 as shown in list 5. The number of first and second Assistant Collectors and nor of a second Assistant Collectors and nor of a second Assistant Collectors and nor of a second Assistant Collector have been vacant since the beginning of 1910.

28370 (92). Are the present raises of pay and grading suitable? If not, what alterations do you recommend? Under the present system several officers of 9 or 10 years' standing are drawing only Ray, 766 per month and ure still substantively superanneary Assistant Collectors. Ever Philis Works Department officers are drawing as higher rate of pay than this after 10 years' service. A Civilina starts on Ra dop er month only, out of which he has to buy camp equipment, tents, horses, etc. It is impossible for him to avoid debt under the circumstances. Prices are rising rapidly in every part of the Presidency. In order to seeme a proper flow of promotion and a ressonable increment, I recommend that a time-scale be adopted for Junior Civilinas and that, starting from Ra, 450, annual increments of Re, 75 should be allowed up to 12 years' service or until the officer begins to act as Collector or District Judge; if that date be earlier. The present rate of pay for the junior ranks of the service is emphatically inadequate; and this

fact has, no doubt, much to do with the falling off in the number of candidates presenting them-

selves at the examination.

28671 (29). What is your opinion regarding
the substitution for the existing graded system
of promotion of a time-scale of salary? If you
are in favour of a time-scale should it be
restricted to the lower grades of the service or
net?—In reply to quastion (29) have advocated
a time-scale for the first 12 years of service.
I am of opinion that it should be restricted to
the lower grades of the Service. Higher posts
carry very varying degrees of responsibility and
ential different scales of necessary expenditure.
It is proper, therefore, that such posts about
carry their own rate of pay. The time-scale
gives no inecative to the more able and ambitions
Civilians.

28572 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I think the rule that junior officers are not allowed to take furiough for 8 years is unaday severe. It appears from the Bombey Civil List of October 1st that out of the 147 officers who were then of more than 4 years' standing, no less than 32 had to go on leave on medical certificate before they had put in 8 years' service. I have been unable to ascertain the number that had died within a

similar period.

28978 (128). Do you recommend the introduction of a system of reduced persions for such officers as may be found to be inefficient, but whom it would be difficult to refer without some provision for their subsistence? If so, what do you suggest 2—I certainly advocate this reform. In addition to inefficiency, I think illhealth of faulty considerations might be admitted as grounds for early retirement on a reduced

### Mr. R. B. EWBANK, called and examined.

28574. (Ghairman.) You are Acting Registrar of Co-operative Credit Societies?—Yes, 28575. And your substantive appointment is

28575. And your substantive appointment is that of Fourth Grade Assistant Collector?—Yes. 28576. When did you join the Service?—In

1906.
28577. And what previous experience have you had "—I have been Assistant Collector in three

districts.

28578. You recommend that the competition in London should be confined to Buropeans?—Yes.

28579. And you also recommend, in answer to question (9), that a separate examination should be

question [9], that a separate examination should be held in India to recruit a fixed proportion of the recruits for the Indian Civil Service?—Yes. 28580. Do you also recommend that there should be selection subsequent to the examina-

should be selection subsequent to the examination?—Not selection, but a right of veto in a Committee for specified faults.

29581. In other words, that there should be power to weed out what you would deem undesirable candidates?—Yes.

98852. Would it not be simpler and fairer, on the whole, to the candidate if that selection were under point to the examination entirer than subsecuent to it?—It seems to me that it might not be always easy to get a normination before the examination, but that after the examination can could see white condictates get in and then yets any who have specified faults, and the next candidate on the last would automatically step into the place.

28553. Do you taink that a body of gentimen such as would be selected for that purpose could obtain any more intimate knowledge of the the character of the candidate by waiting until he had passed his examination 3.—No. The body might say that a natu was too far and orth and give him six months to make himself fit and had. They night my a must manners were thoroughly but and give him notice in writing that in six months he must either improve to their said-six or he would be veloud.

28584. All those matters might be found out, I should have thought, before the examination as easily as afterwards?—I thought this might allow a locus penientic.

28585. Under your scheme would you exelands Indians from the open competition in England?—Yes.

28586. Would you confine Indians to the examination in India?—Yes.

28857. Would the examination in India for Indians be similar in standard to that held in Lendon I—Both examinations would be competitive, and they would from their own standard. The last new would win, and if the new were good enough to make a similar high standard in India the standard would be equally high or even higher.

25589. That would be as regards the actual success of the candidates and the marks they secure, but what do you say with regard to the strictness of the examination?—I should make it as nearly similar as possible.

28589. Who would be qualified to enter for this examination in India?—Everybody.

cons examination in 1992 - Everypood, 28590. You would not confine it to provinces but have an open examination for the whole of India?—Yes.

28591. And have the weeding out process

after the examination?—Yes. 28592. You would not suggest any arrangement by which individual provinces would be represented?—I do not think it is necessary.

26098. Then you suggest that in the first instance the number of approximents to be recentled for in India should be five per each, of the present codes P.—I wrote my answer when I was in camp and did not have what the Government of India had promised up to twesty per cent, already. I think that as that promise has been already given we certainly ought not to go lack upon it; and

therefore, I should say up to twenty per cent. 28594. And you would, hereafter, increase that to the extent of any new posts that may be added to the cadro?—Yes.

so the caure r- ter. 28595. Would this be in addition to the "listed" posts?—The subsequent increase would be either in the Civil Service or the "listed", and the twenty per cent. would be an addition to the "listed":

28596. You say in your answer to question (10), with regard to the Indian examination, that you would so arrange the subjects that every commu-

Continued.

nity would have an equal chance of success, and that you would then allow competition to operate untrammelled. How would you effect that object t—I would have an examination in Arabic, Persian, the Persian peets, Unit literature and so forth, for Mussalmans: and for Hindus a similar examination in Saukrift subjects, and fer other races, an examination in their own particular subjects, in addition to the ordinary main subjects of a general claustion as we know it in Begindar.

of a general concentration and add subjects to fit in with the natural aptitude of each group of communities?—Yes. Where we take Latin and Greek they would take special subjects.

28593. Do you consider that the due representation of the various communities is necessary in the Indian Civil Service from the point of view of efficient administration?—I do not think that all communities need necessarily be represented.

28599. Then with regard to the period of probation, you say you are strongly of opinion that the year's course after the open competition is useless from an educational point of view?—Yes.

28600. You regard it as useful merely from a recoperating point of view after the ordeals of the examination?—Yes.

28601. Was that your own experience?—I

28602. Did not you find during the year that you were able at any rate to get a grounding in the grammar of the vermonals—I did get my grounding in the grammar of Manthi, but as I was sent to a Gujarkti district I never had an opportunity of testing what the grounding was

28603. Therefore, you would suggest that immediately after the examination all Buropean candidates should come straight out to India?— I think that if the year's recuperation was abolished that would be the best course.

and would be due control. 2880.64. But would you suggest the abolision of the year's probation?—I really think it serves a useful purpose in giving one's mind time to settle down and adjust one's ideas, and meet retired Civilians and hear about India, and read the history, and so forth, before oraning out, although it is of no very definite use.

28003. Do you offset to that year's probation because it is too short after the trails of the seammation to enable a cambinate to set to work in real extrast or because the work is carried out in a more or less pertunderly manuer?—
For the second reason, and the examination is qualifying examination, not competitive, so that one has no stimulus to work.

28806. Your objection to one year's probation would apply with equal force to two years' probation?—Yes.

28607. You would not have a probation of two years?—Not in England.

28608. Not even if the examination at the end of that period were made somewhat less perfunctory than you say it is at present?—It would have its uses, but 1 think the two years could be spent more usefully in India.

28609. Could you tall us how you think a young Civilian ought to spend his year's pro-bation in India ?—I should send him to an up-country station and put him in a Collector's effice to act as a sort of supermomenty assistant to the Oilector and to see the papers that go through the office, and I should insist upon his taking up

the vermoniar at once. Also, he would go round on tour, as he does at greent, with the Collector, or with one of the Assistant Collectors, and see something of village life and try to talk the vermoniar with he people. That would be enough in the first six months to give an idea of what is wated, and then there might be some central cellage or institution which he could attend for another six months.

28510. Of those different items of training you have mentioned are there any which are not being carried out now by the young Civilian on coming out here?—He does not go to a central institution.

institution.

28611. But does he go into the Collector's office and learn the routine work there?—No.

edice and learn the routine work there?—No.

28612. That would be an additional form of
training to what is now taking place?—Yes.

28513. Does he go on four with the Collector now?—Yes, as much as possible. 28614. Did you find that during your year's

28614. Did you find that during your year's probation you were definitely and directly under the supervision of the Collector?—Yes. 28615. With all the work he has to do was

2301.b. with a time work no has to do was he able to devote sufficient sterious to seeing that you were being properly trained in your work?— Collectors, of coarse, vary, but I was very lucky; the Collector, I was under, took commons trouble in showing me all the details.

28616. You felt at the end of your year that you had derived a real and substantial profit?—

I felt so

28617. Do you think you would have derived advantage from your year's probation in England, if you had attended Law Coarts and reported case, as used to be the practice before 1891?—No, I do not think I abould.

28618. Do you not think that that amount of training in Law would have been useful to you?— If by reporting cases is meant preparing a summary such as one sees in the "Law Reporter" I

do not think it is likely to be of much use.

2013. In answer to question (92), dualing with the subject of pay, you recommend a time-scale for Assistant Observed, raining from IR. 400 by increases of Rs. 75 to Rs. 1,250 or annit blue offiers begins to ad as a Collector or District Judge. Would you still consider that this scheme should to put into protein if officers started work in India two or force years exilter than they do now 7—1 think perhaps in the first four or fire gracks the increment might be spread over more years if such as yellow and subject.

25830. Was tage do you consider is the bast

28620. What age do you consider is the best for an officer to start work in this country?— Twenty-three.

28621. That would get over some of the difficulty in regard to subsequent promotion, would it not?—Yes, there would be no difficulty about promotion if we had a time-scale.

28622. I understand that the position you occupy is one of Registrar of Co-operative Credit Societies and is nominally regarded as a superior neat?—Vec.

28624. And there are other posts which come under the same category as yours?—Yes, 28625. They are included in the cadre as

28625. They are included in the cadre as superior posts and recruited for as such, but are in effect not really superior posts?—That is so.

28626. Do you know anything about these posts of Assistant Collectors, Colonisation Officer

4th March 1913.1

Mr. R. B. EWBANE.

Continued.

and Superintendent of Land Records?—There are

nine such posts.

28627. They are held by comparatively junior officers, are they not ?- In most of these cases the officers are acting, the actual substantive holder

organes a considerable block among the junior grades?—Yes, a block for those who are not holding the posts and who are senior to those

who are

28629 In answer to question (124) you say that ill-health or family considerations might be admitted as grounds for early retirement on a reduced pension. Are there not already pensions for invalid officers on grounds analogous to those you suggest?—I think that the health certificate for retirement is very difficult to get, that you must be completely incapacitated, and this sugges tion is more for a man who is simply an invalid with health continually bad.

28630. And upon a certificate you would suggest that officers should be pensioned at rates varying from £150 to £700, according to their

length of service ?- Yes, 28631. At present you say they can only be pensioned on those lines if they are totally incorn-

citated ?—I think that is so. 28632. (Lord Ronaldshay.) Could you ex-plain to us in a little more detail the actual system of training of junior Civilians when they come out to this Presidency? First, does the Local Government lay down regulations governing the system of training which the young Civilian has to undergo?—The Local Government has laid down some regulations. First of all you must be in charge of a Treasury, secondly, you must have passed the departmental examinations, and thirdly, you must try a certain number of third class magisterial cases and second class cases before you can rise to the higher grade. It is understood, but I think there is no rule about it, that you must tour to a certain extent with the Collector and get some district experience.

28693. When you say a man must be in charge of a Treasury, does that mean that he has to be in charge of a Sub-divisional Treasury for a certain period of time?—No, a Head-quarters Treasury for six weeks.

28634. That is a definite regulation?-Yes. 28635. Could you tell us what happened to you when you first came out? You came straight

out to Bombay?—Yes. 28686. And then you were sent to some district head quarters ?-Yes, I went to Ahmedahad.

28637. And you were put in charge of a Collector there?—Yes.

28688. How did you spend the first few weeks?—The Assistant Collector took me out on tour at once with him; he helped me to buy a horse and a tent and I visited some villages with him, and I learned a little grammar in my spare time, and then I came back to head-quarters and lived with the Collector.

28639. How long were you on tour ?-In the first instance about six weeks.

28640. Did you try any cases yourself during that six weeks ?—No.

28641. You saw the Assistant Collector trying cases?—As all the cases were in the vernacular it is hopeless to attend cases for the first three or four months.

28642. You really spent most of your six weeks in acquiring the rudiments of the language? -Yes.

28643. And then you went back to head-

quarters?—Yes. 28644. What did you do there?—I lived with the Collector for two or three months and went out on tour with him once or twice. I worked with my Munshi two hours a day at languages. I

do not know that I did much else. 28645. That brought you up to about the

end of four or five months' service?-Yes : I finished off the touring season, and in the hot weather I took the Tressury and remained in charge during the hot weather. Then in the rains I started trying third class cases.

28646. After you had been out how long?

About six months. 28647. Did you do that before you passed

our first departmental examination?—I believe

I tried one or two. 28648. Did you find any difficulty on the score of your comparative lack of knowledge of the language?-Of course, it was difficult; you have to have everything interpreted to you.

28849. How soon did you pass your first departmental examination?—After six months.

28650, Then what did you do?-I tried second class cases, and for the rest of the rains, I stayed in head-quarters doing nothing much else. As soon as the touring season began I got charge of a single taluka for a month or two and then I was posted to a separate district in my own sub-

28651. Was that before you passed your second departmental examination?-A month

28652. When you passed your second depart. mental examination your period of training was considered to be over.—After that you train yourself with your own work. We have to go to Poons before the second departmental examination and pass an examination in survey and agriculture. There is a three weeks' course in survey and settlement and three weeks in agriculture.

28653. Did all the young Civilians under training go through that course together?—Survey and agriculture, yes, but now the survey is sepa-rate. Survey you do in your own divisional headquarters and agriculture at Poena. You do your survey with the Superintendent of Land Records

in your own divisional head-quarters.

28654. With regard to what you have told us about the expenses of the young Civilian when he first comes out, could you tell me, roughly speaking, what the cost to him is of camp equip ment, tents, and horses?-With one horse I should think a thousand rupees.

28655. Would that cover the camp equipment the tent, and the horse?—Yes.

28656. Does he get an advance for that from the Government?-You can get Rs. 500 for tentage from the Government, repayable by

28657. For the first few menths the young Civilian is out here his monthly salary is practically absorbed by these necessary expenses?-Yes. of course there are other expenses which are practically necessary in ludia and which one cannot count as official expenses, like guns, and so forth, so that the expense is very considerable when you first come out.

continued.

28658. Do you know what period of time you have to repay the Government advance in?-No; they simply deduct your monthly tentage Rs. 10 per month until it is repaid. It took me

four years I think,

28659. With regard to your suggestions for
the syllabus of the final examination, you think
that the Political History of India since the Mutiny should be included as an optional subject? Do you know of any standard text-book on the Poli-tical History of India since the Mutiny?—I certainly do not.

28660. You do not know whether it could be satisfactorily taught then?-I have no doubt a book would at once appear if we made it a subject.

28661. With regard to leave, you say in answer to question (115) that out of 147 officers who were on the first of October last of more than who were on the tirst of October has or more than four year's standing, no less than 32 had to go on leave on medical certificate before they had put in 8 year's service. Would you be in favour of a proposal such as this: that when a Civilian comes out he should have a leave-ledger as it were and that he should be entitled at any time to ask for so much furlough as he felt he required, subject to the convenience of the Government, and subject to the deduction of the amount which he took being made in the total amount of furlough allowable to him during his service ?- Certainly. I suppose that would meet every requirement.

28662. You think that would be a great

improvement on the present system?—Certainly. 28668. You do not think there would be any danger of a short-sighted officer taking the whole

of his furlough during the earlier period of his service?—I think Government would see to that. It is not always easy to get furlough.

15 is not always easy to go annuagh.
28664. (Sir Theodore Merison.) Do you mind
expanding a little your answer to Lord
Ronaldshay? What do you mean by Political History ?- I mean the constitution of the Councils, the Legislative Councils, the different Acts that the Department of the the transfer of the the taken place. I understand there were certain important Acts and Legislative enactments in the last 50 years and it is of those I am rather thinking of. It is constitutional history rather than ing of. political.

28665. I did not know whether you intended to include other social movements, the growth of education and things of that sort?—I hardly think

that could be written yet.

28666. With regard to your answer to question (9), I see you contamplate the possibility of a considerable increase in the number of appointments, Have you any sort of figure in your mind as to the number that would be likely to be required in this Presidency in the next 15 or 20 years?—I do not think I could say.

28667. Do I understand that you think the Administration needs the creation of a considerable

number of posts?-Yes,

28668. Is it your opinion that the Adminis-tration is under-staffed?—In some points, yes.

28669. It is not for the sake of political concessions but, merely, as an administrative question that you think more posts need be created ?-I think I could point to some specific instances showing they are obviously desirable.

28670. You indicate the division of certain districts, and you suggest a number of districts in this Presidency which you think might be divided with advantage. Are there a certain number

which are too heavy to be adequately managed? -I think some districts are too heavy to be adequately managed, but it would hardly amount to a division into two. Portions of other districts would have to be joined together and the whole divisions re-arranged. In no case, could I point to a district in which there is really work for two Collectors.

28671. You would make three out of two or something of that sort ?-Yes ; perhaps Sátára and Poonataken together would make three Collectorates.

28672. Is it in that direction rather than in the multiplication of officers in existing districts that you think it will be most helpful to the Administration ?-I think probably in that direction.

28673. In the multiplication of units?-Yes, because the Collector remains the head of the district and is well-known to everybody, whereas

discrite and is well-known to bres local, whether in a very large district he is quite unknown. 28074. Without specifying any particular number you think that an increase of posts in the

Administration is desirable?—Yes.

28875. Several times in your evidence you have referred to the competitive examination for the I.O.S. as a "oram" examination. Are you au Oxford or Cambridge man ?-An Oxford man. 28676. Does it contrast with the Schools in

Oxford !—Very much so. 28677. Would you define it as a "cram" examination in contrast with the examination in the Schools?—I should say a very large number of questions asked in the I. C. S. Examination are questions which directly follow the lines of the lectures which everybody goes to and text-books which everybody reads; so that you simply reproduce chapters in books which you have learned up beforehand or have bad the oppor-tunity of doing, instead of having the question put in such a light that you have to think it out yourself each time,

28678. Does that mean that the "crammer" has been more active with regard to this examination than he is with regard to the Schools, or that the examination itself is of a different type?—The examination is rather different in type. I have the examination papers here and I have marked the questions which I consider to be "cram" questions, 28679. Would it be fair to say that the

examination is to a greater extent a test of acquirements of things that could be got up than a test of hrains, as compared with the Oxford examination?—I think that would be a perfectly true way of stating it.

28680. That it does not test brain power so much as acquisition?—That is so.

28681. In your answer to question (124) you mention family considerations as grounds for retirement on a reduced pension. Could you explain what you mean there?- I mean that a man might have an invalid wife or invalid children who could not live out in India, and it is hard luck on him to keep him out here separated from the rest of his family.

28682. (Mr. Cheubal.) I have some difficulty in understanding the last portion of your answer to question (9). I want to know on what your conclusion is based that the Indian Civilian is not really a representative of his class and race?—
I mean the Civilian trained from the age of 17 I meas the conjusts trained from the age of 17 or 18 in England in purely Western ways, who has given up his own caste, very often his own religious ideas, and the customs of his people and

[continued.

adopted purely European ways of living. Therefore, although to a large extent he is representative, he is not entirely representative.

28683 Have you seen specific instances of Indian civilians returning from England who have lost touch with their people? Take the nine Indians who are in the Bombay Presidency, which are the only instances you can possibly have before your eyes. Looking at their ways can you say that they have lost all sympathy and touch with their race and people?—I do not attempt to

58.y s0 28684. So far as you see the Indian civilians returning from England after four or five years' stay there, have you found any actual instances of their having lost touch with their people or of their being out of sympathy with their people?— I say their relation to their people is very much changed by their education in England and they

are no longer quite so representative as they otherwise would be

28685. Am I to understand that for a person to be a representative of his class and race he must practise all the superstitions or other practices which his race have been observing for centuries?— No. I think you may be a good Hindu without practising superstitious practices.

28686. Although, I might have given up the beliefs or practices of my own class, still I am perfectly capable of understanding the feelings and ideas of my own people, although I may be living in English style?—That is so.

28587. I want to understand something more about these "cramming" institutions. Can you say that in those who have passed the Civil Service examination and are holding posts out here you can detect the "crammer's" element? - I know for a fact that, in the year I went in for the Civil Service oxamination, 31 men spent more than three months at Wren's and 18 men spent more than one venr at Wren's.

28688. Your knowledge of the men might perhaps enable you to say that certain individuals passed by "cramming," but supposing an Indian Civil Servants came out after passing the competi-tive examination and you had them working here with you, could you in your intercourse with them trace the fact that they had only get in by "cramming"?—Sometimes I might suspect it, but certainly I could not distinguish.

28689. What is the disadvantage so far as the

efficiency of the Service is concerned? Assume for a moment that a man is in a University in England for three years, and does not succeed in the examination the first time, and during the second year remains in a "cramming" institution and then passes, what is the disadvantage in that? I think it may be conceded that " cramming " is not education, and that a well-educated man is more likely to be wise and sensible than a merely "erammed" man.

28090. But the man has been for three years at a University and has taken a degree there, and only stays for one year at a crammer's institution. only seep and one year or a statute is the dis-advantage?—Why not have the educated man who can pass at the first shot? He is probably a more able and better educated man than the educated man who fill at the educated man than the educated man who fails at first and afterwards gets through by "cramming." He ought to be a man of higher calibre at any rate.

2869I. You cannot say that in actual life you

which a man works when he gets out here, that he is less officient on account of having got through the examination by passing one year at a "oram-mer's"?—No. I should say very generally that a "crammed" man was probably less efficient than

an educated man. 28692, With regard to the time-scale you propose, take a young man who passed in the same year with you and who accepted Home Service: what would be his initial start at home?—I do

not know, but I believe £200.

28693. I want some information as to how the initial starting pay of an Indian civilian here and that of the civilian at Home compares ?-I am

sorry I have not got any figures.
28634. (Mr. Macdonald.) With reference to your answer to question (115), where you say that 32 out of 147 officers have had to go on leave on medical certificate, does the Civil list give us any. information as to how many of these men have taken privilege leave before breaking down?-The Civil list does give such information

28695. Did you happen to look at it?-No. yourself? -I had three months the year before last. 28696. When did you have your last holiday

28697. And you have been working very steadily from that time till now?-Yes, without

28698. How long have you been working without a break up to now?—One and three-

quarter years. 28099. If you had chosen the Home Civil Service instead of the Indian Civil Service you

would have had probably two months holiday in that time, would you not?—Yes. 28700. And the conditions of work at home are not so ordnous as the conditions of work out

here ?—That is so.

28701. So that really, as a matter of fact, you would have been far more liberally, supplied with holidays at Home than you have been here? -Of course, we are accumulating furlough.

28702. But, apart from accumulation. would have had your holidays, and the justification for a holiday is that the strongest and most energetic men want a rest at least once a year, more particularly when they are doing very heavy brain work and undertaking heavy responsibilities such as a member of the Indian Civil Service is doing?—

That is so 28703. Do you not think that it would be 20,000. Do you not mind that it would be far better for yourselves if you had to take your. holidays more frequently and were not allowed to accumulate them ?—If one took, them more frequently I take it one would get shorte holidays, and I do not see where one would be able

to go. 2. S704. Is the difficulty simply one of getting a place to go to 1-I do not think many people want to go to Simila or places like that, as there is nothing much to do there.

25705. You have all stations in Bombay !--

Not very pleasant ones.

28706. Still, there is the physical fact that you go on working for years without a break. How can anybody expect that you are going to keep fit under those circumstances !- As a matter of fact we do have a considerable break once or twice a year. At Christmas we get twelve days, and as everybody gets it at the same time the majority of about ton cannot say that in actual life you exviling go into Camp together, and spend it in a see the results of "examining" from the way in "hard exercise, shooting or whatever it may be, and. Mr. R. B. EWBANK.

Continued.

it makes a very good and useful holiday in the middle of the cold weather.

28707. But these figures, 32 out of 147, show a very heavy ensuelly, and I put it to you: How can you expect to have a light ensualty sheet when you go on in the way you are going on, overworking for leng periods, accumulating leavy, and then going in for a bont of holiday-making 2—01 ourse, that is tree, but I think there are precised difficulties. There is the difficulty of having to place to go to, and there is the difficulty that it is always incommended to have somebody does in your office for about a month, because, he shelves all the work until you came back and you have to do it then.

28708. That is the debit side of the account. Would you put on the credit side of the account the broken health of the officers?—Yes.

the broken health of the officers?—Yes.
28709. It is rather a lad position to be in,

is it not?—We do not all break down.

28710. But your casualty list is very heavy, as you have shown?—Yes.

28711. (*Ur. Fisher.*) When you were examined for the Service was there a maximum number of marks?—Yes, 6,000.

28712. That had only been recently imposed?

—That was the first year.

28713. The object of that was rather to limit recourse to a "crammer"?—Yes.

28714. Is it the opinion that this was done?— I do not think it limited the "eramming" at all. On the contary, as I have said, some men who have fulled in the previous year, under the 23 years' course, came in under the 25 years' course after one year's "eramming", and passed very high up.

28715. Under the system of the maximum?— Yes, and with 24 years, which gave them a second trial.

28716. I am not quite certain whether if your recommendations in your answer to question [51] with regard to the probationary course were carried out, you would prefer to have a probationary course in England or send the men straight out to India - Personally, I should prefer to continue the one year in England.

28717, With a revised probationary course?

28718. Do you think that men would really settle down to work in one year?—No, I do not think they would work very hard. 28719. Then, why would you interpose this

28719. This, way would you his posses are para between the estimation and the period of tataining in India I—I think them is a lot in fact that one as just seed spinit of waw. A man know where he is going to, and sidengel he does not work very hard at a definite enhance he round the thing a great deal. Just as ideoption when they are coming out no given notice as months beforehand and have time to each doubt the subject, on the ance opportunities should about the subject, on the ance opportunities should

be given to us.

28720. In other words, it enables you to get

up steam for your future work?—Yes; 28721. (Mr. Madja.) Your auggestions in answer to question (1) seem to mat to make for some recognition of family chains, lawing regard to the fast that a man orbit biness! duffer from all home ties. Do you think if the flowed of Selection while you recommend made some allowance, for family claims, other things being qual, it was not a good thing for the Service ?—I think if it man had family claims they ought to be apparent in his bearing or manner or in some way, apart from the fact that he is understood to be of a good family.

28722. I mean a family that has served in India for instance?—I do not think the mere fact would be sufficient.

28723. Admitting that the man has a high intellectual and moral standard, would you allow the Board to make some allowance for him it his father had served here for years and cut himself additf. from home opportunities T—The Board additf. from home opportunities T—The Board that standard himself and the server of the serve

28724. According to your answer to question (9) you want a fixed number of posts reserved for Englishmen ido you think the limit should be a sketctory one, or changed from time to time according to the judgment of the Government at particular crises f—I am afraid I have no opinion on the coint.

28725. If you have a fixed statutory limit you cannot change it within a certain considerable time, whereas if you left it to the Government have so in that limit from year to year, it would leave it open to them to meet crises as they are so that the two the probably better to fix it by statute in the first instance.

28726. With the risk of not being able to change it if it was absolutely desirable immediately?--Yes.

28727. In your proposal for a separate examination in India lines you overlooked the fact that the present standard of elioaction is so high as to secure the passing of but a small number of conditates, whereas the wanning, schemate for a particular year, are declared with reference to actual nearly Supposing the successful candidate fall short of the vacancies, how would you fill up the gap f—The examination would be competitive, and if the number of vacancies were six, the successful candidates would be the first six on the list, whatever their qualitations.

28728. But supposing the vacancies were a larger number and the standard of the oxamination was so high that a smaller number of candidate passed, and three was no a matter of fact a gap, how would you fill it up?—If Indians would not accept the posts that were thrown open to them I think it would be necessary to appoint Englishmen.

28729. How long would you wait? -I do not think the contingency is at all likely to happen.

28730. Several Indian witnesses have told us that if there was a simultaneous examination in this country the number of excessful candidates would be very small for a considerable number of years. What is the average number of vacancies each year?—In this Presidency—7-2.

28731. And you think the chances are pretty equal of there being a successful number?—It would mean about one Indian per year and I take it he would be always furthermine.

woman mean account our account per year and it leaves to be would be always forthcoming. Personning 28782. In your suggestions for present given instead of text-books the candidate would come off better ?—In most cases at present subjects are given, not text-books.

B. Ewbare, [concluded.

28733. Irrespective of text-books?—Yes. English literature is the only one I think in which

text-books are set. 2873-8. But you said the questions set at present usually follow the lines of the text-books. Is it not desirable to dispense with text-books and just give the subjects generally 1—19 text-books I mean any books which are the standard school authorities I. do not mean specially presented books for the Grill Dervice.

28785. Do you think it better for a man to come out comparatively young or comparatively old with better formed character?—I think the

28706. As regards privilege leave, apart from considerations that have been obtainly pressed upon you, it is said, that advantage is taken of privilege leave and the civilian today is allowed more invoked to go out of the country observed than former generations of civilians went, that the older class of civilians stock to the country and were supposed to have acquired greater experience in that way. What is your view?—I think it probably does to a certain crafter milithe against the personal hnowledge of the people which the old civilian used to have.

28787. To that extent then it is not for the good of the country that there should be much accumulation of leave?—That is true.

28738. Hit is from consideration of health that people want to run away, it may be, that the present generation are not so robust as their predecessors?—It may be so.

28780. (bit Barray Horanick.) With regard to this question of furiough, I think the statistics you produce an heality correct on the face of them, although, perhaps, they may be accounted for by some special putiol. A great many of the last eight years of Bounbay have been famine years, have they not 2—1n a portion of the Presidency, yes.

28740. And I suppose it was very difficult to get ordinary furlough during those years?—Yes.

28741. During the time of distress and famine in Madras ordinary furbough would be stopped. Was it stopped in Bombay ?—I think it was only stopped in 1900-01. As far as I know it has been fairly regular in all other years.

28742. Very likely a mumber of these people who took a medical certificate found they could not get uritizaty including, while it is exceedingly easy to get a medical certificate if you can prore you have been a certain number of years in the country and you are below par. Do not you think that might have happened here to account for this that might have happened here to account for this very large number of persons who took medical leave?—In no case that has coince under my notice has it been due to that. It has been due to the man breaking down from overprot.

25743. You have known a good many of these 32 cases as those of men who have actually broken down?—I only know the recent cases.

28744. With regard to the expense of junior officers, they have to buy tents, and I suppose you have a standard of tent you have to get?—Yes, a certain size of tent.

28745. In most Presidencies where civilisms have to buy tents the Government lays down the class of tent they have to get. A Collector, for instance, has to have a certain number of square

feet of tent, and a Joint Collector has to have a tent of a certain size, and the Assistant Collector a tent of a certain size. Is there not a rule of that kind in Bombay?—I think that rule applies only to office tents and you can purchase your own tent

at your own convenience. 28746. An Assistant Collector then can go out in Bembay in a 90 lbs. military officer's tent

if he likes?—I think he could.

are mess to tumin we could.

28747. Perhaps that accounts for the large amount of sick-leave you get. I know that in Madras the Assiant Deleter cannot possibly buy a decent set of tents under it least fig. 700 and that leaves a very small margin for his horse and comp furnitine. Your Rs. 1900, I think, is margin for an Assistant Collector to begin on, and I should say, it would almost each fine Rs. 2,000. Did you manage to start on Rs. 1,000. The vas calculating only one tent and one horse, but I take it must Assistant Collectors have two or three tents and two horses.

28748. And he needs some furniture too?-

You generally hire that.

28749. The result is that for the first three or four years, unless the I. C. S. man brings some money out with him to the country, he is probably under considerable reductions of pay ?—Yes.

28750. And you think it very advisable to increase the pay of the I. C. S. and that the junior officers should receive a good deal of attention in that direction?—I think they deserve attention.

2875.1. As far as recruitment at Homo goe, do you think that this idea that an Assistant do collector when he comes out has a rery bad time financially is likely to effect the popularity of the Service at Homo I—Tes. I think the immediate prospects of a man who very likely has some debte make a considerable difference.

28752. When you passed your examination did you take notes of cases ?—No.

on you take nutser or seek 1--No.

28754. If you had a system under which
conditates attended Law Courts and had to take
notes of a certain number of cases, take down the
actual depositions and all the points that were
raised by the lawyers separating on either side, and
the remarks of the Judge on the various points,
and those papers had to be submitted to the
craminer who subsequently examined the exadilate
and produced the papers at the cité were seaumetion, and cross-cramined the candidate on the notes
and produced the values them, you would quite
and proceeded to value them, you would quite

understand that a system of that sort might be very profitable to a Civil Servant?—I agree. 28755. (Mr. Heaton.) So far as you know, do. Assistant Collectors go about in 90 lbs. tents?—

Certainly not

28756. They have a much better class of tent than that?—Yes.

20157. (Lord Resaltshap) I just work to sake a further question to clear up a seggestion made by Sir Murray Hanamiek. His suggestion that some of this medical lower to which you have referred might have been medical lower in mansbut sordinary furthough in fact is surely not the case, because none of these men had served for eight years, and I understand that no offier is entitled to ordinary furthough until the has served eight

years?—That is so. 28768. That suggestion, therefore, must be irrelevant?—Yes.

(The witness withdrew.)

[contauned.

STANLEY LOCKHART BATCHELOR, Esq., LOS., Judge of the High Court of Judicature, Somboy,

Written answers relating to the Indian Civil Service.

28759 (1), What is your experience of the working of the present system of recruitment by open compatitive examination for the Indian Civil Service? Do you accept it as generally satis-factory in principle?—The working of the present system of recruitment seems to me generally satisfactory in principle. By that I mean that I have not heard of any rival system calculated, in my opinion, to yield better results. The broad general education now ensured seems to me to give excellent raw material for the formation of good public servants. I attach great importance to the avoidance of nepotism in Indian appointments, and I doubt whether any other system would be equally successful in securing this advantage.

28760 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the present state of India, I think, that the introduction of simultaneous examinations would be premature. Speaking generally, I am of opinion that the successful cardidates in England are likely to become good administrators not so much by reason of the qualities which the competitive examination discovers as by reason of certain qualities which, in the average, such candidates are assumed to possess : among such qualities I would reckon firmness of character, readiness to initiate measures and to accept responsibility, and a general desire for fair play between con-tending castes or sections of the community. My experience suggests that these qualities may be rightly assumed to exist in English candidates for office in India, but, I regret to say that, dates for office in Linux, out, I regres we say warms so far as my experience goes, it would not yet be safe to make any such general assumption in the case of Indian candinates. Comparatively, few Indians extend their vision to the genera welfare of the country; most are concarned only with the interests of the easte or sub-division of a caste to which they happen to belong. inglishman, from his necessary alcofness from such concerns, is in an exceptionally advan-tageous position for doing justice between all classes, whereas, even the best of Indian officers are, I think, not infrequently embarrassed by social or easte pressure. Moreover, in the present state of the country's development, I apprehend that, if simultaneous examinations were introduced without restriction, there would be serious danger of swamping the administration with members of one particular caste in whose integrity and impartiality members of other creeds and castes do not by any means place implicit reliance. It is also, I think, certain that in the present condition of India mere intellectual ability is not by itself a sufficient equipment for a good administrator. He must, as I have sug gestéd above, possess many other virtues which no intellectual examination could test. In India there is a tendency for the intellectual classes to be merely intellectual, and to show some want of interest in out of door work, and some want of capacity to handle disorder or tumult with firmness. It is also my belief that India is a decidedly aristocratic country, i.e., the masses of the people attach more importance to genealogy than to brains. If an Indian officer, of whatever intellectual capacity, is known to be of humble origin, he is apt to command less respect than he deserves. Hence, also the extreme importance the evil effects of bad manners shown by Englishmen to Indians are practically incalculable. But I do not suggest that such cases are of frequent occurrence.

28761 (I0). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (s) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system all classes and communities should be represented? It so, how would you give effect to this principle?-On the above and similar grounds I am not able to approve simultaneous or separate examinations in India as an independent means of recruitment. But, I see no valid objection to the selection of Indian candidates by a system of combined nomination and examination. In a country where every post or office tends to be-come hereditary, care would have to be taken to prevent the appointment of the indifferent sons of good fathers; but that need not be an insuperable difficulty. In the case of appointments to judicial offices the power of appointing should, I think, be vested in the High Court, or, at east, that Court should have a concurrent voice. I consider it very desirable that, so far as possible all classes and communities should be represented. By "so far as possible" I mean to the extent to which the principal communities of any Province are able to produce candidates fitted in all respects for State service. If, as I should prefer, the examination were merely, qualifying, each community would have a fair chance of being represented

28762 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Notwithstanding the part recruitment in India, I think, that Indians should still be eligible for appointment in England. For the most valuable part of the training received by an Indian in England appears to me to consist in his intelligent observation of the institutions of a country which has no caste and which either is governed, or strives to be overned, on the principles of fair play to all and the tools to the man who can use them."

28763 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as for your nen who are "Natives of India," as being in lies of, or a supplementary to, the present system of promoting to "listed" posts offered what streams, if any, would services. If the former, what streams, if any, would you recommend in the conditions governing the Provincial Civil Services.—In my opinion any such system of selection in India should be in the room of, and with small streams of the streams of the streams. not supplementary to, the present system of pro-motion to "listed" appointments among officers of the Provincial Services. But, the change would

4th March 1918.

foonlinged.

be subject to the just hopes and expectations of the gentlemen already in the Provincial Services.

28764 (18). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service I—I should much

deprecate any separate method of recruitment for the Judicial branch, 28765 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of souch a nature that no candidate who may fall shall, to whetever calling he may devote him-self, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—The principle laid down by Lord Macaulay's Committee seems to me unquestionably sound. A man's real training as a servant of the State begins after he lands in India, and the only specialised subjects which I would recommend are Indian languages and law.

28766 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service eadre do you consider that "Natives of India." might, under present conditions, properly be admitted?—Yes, if the administration is to retain its character as British. On several important points of administration the current Indian notions differ sharply from the English, and there is reason to think that on such points even advanced Indian opinion is only beginning, tentatively and uncertainly, to follow the Eu-ropean lead: as an instance, I may mention the subject of preventive measures against epidemic

28767 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—I am strongly of opinion that all these matters should form part of the candidate's curriculum. I attach particular importance to :-(i) the compulsory attendance at the Law Courts and the reporting of cases; (ii) the teaching of Indian Law; (iii) the teaching of the Indian Vernaculars with special attention to colloquial instruction.

28768 (53). Do you consider that the probe-tioner's course of instruction can best be spent in England er in India ?—In England.

28769 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Stadies in London (1909) the view is taken that the preliminary training in Oriental Is ween one can premunary craning in Orienza Languages and in law required by probablesses can be given better in Eagland than in India, because of the difficulties which jumin civilians would experience in learning these subjects in India, the last of good baseless in Indian district head-quarters, the difficulties of some good Indian head-quarters, the difficulty of even good Indian teachers appreciating the European student's

point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think that these objections are very serious and could not be met by a suitable scheme of instruction in

28770 (62). Do you consider that there has been any detrioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service 7 If so, what are the causes 7 Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—The allegation is often made, but I have never seen any real evidence that such deterioration has occurred. At the same time I am not satisfied that European officers always attain to an adequate proficiency in the Indian languages. I would make the examinations stricter, would offer rewards and grant special facilities for high proficiency. Much of this is done even now in theory, but the exigencies of the service prevent much practical good. There are many languages and senior men must at times be posted to districts of which they do not know the language; but, if the importance of the general principle is recognised and accepted, the practical difficulties may be much reduced.

28771 (64). Please give your views as to what steps (if any) are necessary to improve the pro-ficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Bearristers' Chambers or other), and what conditions do you propose?—The following note was written by me on the 18th January last on this subject at the invitation of the Government

of Bombay: "It should be premised that this note has to he written at a distance from any opportunity of consulting either other interested officers or books of reference. It must, therefore, he read as embodying only my present impressions which would be liable to correction or qualifica-

tion on further information. ag. In reply to question (18), I think that the present method of recruitment for the Judicial branch of the Indian Civil Service should be maintained. I attach great importance to the general education and culture secured by our present methods and I am not aware of any system calculated to yield hetter results in these respects. It is, of course, essential that our respects. It is, or course, essential that our judges in India should be lawyers, and I would spare no pains to make them expert and accomplished lawyers; but it is, in my view, desirable that they should not be nore lawyers. It is important to the right discharge of their duties that they should be thoroughly familiar to the course of their course of the course of their course o with the language, customs, religious and social observances, and modes of thought of the ladian peoples among whom their work lies. Indian peoples among whom when work mid-frage qualifications are I think, more likely to be obtained by our present system of recruit-ment than by any system which concentrates its aims too early and too exclusively on the study of the law. The onus is, of course, on those who advocated a change, and I can only

continued.

say that up to now I have not heard of any alternative system which I should prefer to that

which now obtains.

"G. Bet if, as I think, the present system supplies the Skate with excellent matrial out of which to make lawyers and Judges of mre than ordinary competence, then it tecomes of capital importance to turn that material to the best account. It is here, I venture to think, that we have hitherto failed, and here, ensequently, that reform should be instedued. I would make no change in the Oviviliars career up to the point where, having passed all his examinations, he has spent at least six vears in moving about among the villages in his charge and so gesting to know the people and their language with an inkinney which no later experience is likely to fornish. When these foundations have been leid, the addition to the technical legal texining, which would have been begun in England, should be given faulities to be called to the Bar. The origancies of the service any, however, stand in the way of any general measure of this kind; and, in that cace, the Civilian (say, on the first fartocly) should read in the Chambers of a practising equity Sacriete in Begland, The Barristeer in Begland, The Barristeer

competent to receive young Civilians in this way should be carefully selected—which might

be done in consultation with the India Office

and their certificate at the end of the period of

study should entitle the Civilian to such emolu-

ments as would prevent his being out of pocket by thus fitting himself for the service of the State. "4. I desire to add that, except as conferring a certain professional cacket which even hestile critics would feel bound to respect, I do not attach any overwhelming importance to mere call to the Bar. After all, so far as I am aware, the recruitment of the Bench from the Bar is the recruitment of the bonds from the says peculiar to England: France and Germany, I believe, obtain perfectly compotent Judges by other means. Moreover, the mere call affords but little promise of the candidate's future eminence as a lwayer; and for practice purposes I should doubt whether the knowledge thus obtained would be as useful las the insight into legal methods, legal procedure, legal habits of thought, which would be gained by diligent study under a Barrister in good practice. In this context it is important to notice that difficult questions of pure law are rarely encountered in our District Courts: more than three-fourths of a good Judge's working time is occapied in the even more difficult task of finding correctly on disputed questions of fact. That, beyond all comparison, is his main duty; and to do that accurately and sagacious demands many more qualities than those which count in an examination for the Bar. Among such qualities I would reckon patience, robust common sense, and a real living knowledge of the Indian people, their customs and languages: with these gifts, and with exhaustive codes on every branch of law lying ready to his hand, a man with no pretensions to be a learned lawyer would, in daily practice, be a far more efficient District Judge than the subtlest or profoundest of lawyers who lacked these gifts. In actual daily work and practice there is all the difference in the world between a law Lecture-

room and a Judge's Court, whether the Court is in India or England."

18 in India or England." 28772 (65). Do you recommend any special course of skuly in law in India for officers selected for the Judicial branch?—Yes.

28773 (88). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Yes: I think every man selected for judicial office should spend at least six

months as a neighbol Judge trying original suits. 28274 (82). Arc the present alone of pay and goading satishile? If not, what electation do you encounted 1-on my opinion the nates of pay and goading are insufficient. These should be a discovered to the property of the pay and goading are insufficient. These should be given and goading are insufficient. These should be pain at Ra. 450 and should run on Re. 1,36 after 12 years' service. I think also that Judges and Collectors can make out a vayer stong zees for introused pay. Work hast increased very much and living has grown made more expensive shot in India and in Ragiand. Sestions I tiges in Bombay are noticeably worse more expensive shot in India and in Ragiand. Sestions I tiges in Bombay are noticeably worse and than in other Povinness: this should be remoted. I desire to add that in my view it should be incumbed on Government to provide suitable residences for the Collector and the Judge of each district at a fair reat. Those officials are permanent and should be provided for. Of this two, the Judge is the destruormed,

Written answers relating to the Provincial Civil Service.

28775 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A.

Are these conditions suitable, or have you any
recommendations to make for their alteration?— My note on this subject must be confined to the Subordinate Judges. I have some experience of these gentlemen and their work, and I regard them, on the whole, as a highly efficient body of public servants. It is my opinion that their claims on the State are at present underestimated both as regards remuneration and in other ways. I find that much dissatisfaction at present exists with the present method of appointment by Government. I am bound to say that I share that feeling. The present system seems to me unsatisfactory as regards the candidates themselves, and not well calculated to secure the best men for the service. That system, as I understand it, is briefly this: after passing their final examinations, those gentlemen who wish to enter the Subordinate Judiciary submit their applications to the Private Secre-tary. There the applications remain for some years until a particular candidate is selected and appointed : sometimes he is the senior on the list; very often he is not. But no candidate knows wby a junior man is selected over his head. Moreover, the system is complicated by what are called "qualifying posts," which are a device invented in order to overcome or evade device invented in order to overcome or evane the usual restrictions as to age on first-appoint-ment; a candidate by obtaining one of these "qualifying posts" can keep his claim alive indefinitely, whatever his age may be. Many of these qualifying posts are on such low salary that the incumbent necessarily suffers in prestige and dignity: there are obvious disadvantages 4th March 1913.]

152

.Mr. S. L. BATCHELOR.

[continued

in suddenly converting a poorly paid clerk into a Judge. Further, the absorption of these posts by men who have no intention of retaining them by men who have no interested or research the blocks the proper flow of promotion among the clerical establishments. Also, many of the posts, though technically "qualifying," are not really so, because they involve duties of a merely ministerial character, so that the holder of such a post is in a fair way to forget whatever law he once knew. Such a system seems to me bad for the State, for really capable men prefer to take their chance at the Bar rather than submit to these ancertainties and disadvantages. It is also bad for the candidates themselves, for it prompts them to rely not on their merits, but on all sorts of chits and testimonials which they can succeed in extracting from highly placed officials. Probably, a better system would be to offer the ascertained number of vacancies in any year to the successful candidates of that year in the order of their passing and to make the appoint-ments, when they fall in, consistently in that order among those who have accepted the offer: this order should not be departed from, except this other knows now be expected from the con-for reasons stated. There is also, I gather, a wide-spread feeling in the Department that the appointments, or at least the promotions of the Sub-Judges, should be made by the High Court, and not by Government. As at present advised I should favour such a change. In actual fact the efficient administration of justice is the peculiar concern of the High Court, which has the best opportunities of knowing, and makes it its business to know, the varying capacities of the Subordinate Judges; so far as I am aware, no such advantages can be claimed, or would be claimed, for the executive Government, which is fully occupied by State business of other kinds. While on this subject, I think it my duty to refer to another point which is causing some discontent throughout the Judicial branch, especially the Sub-Judges: I mean the recent rule laying down that no Judge of the High Court is in future to become a member of the Executive Council. I am, of course, conscious that this objection may seem to come with a certain want ofgrace from one who, if the Rule were otherwise, might conceivably be himself an aspirant to the higher-paid office. But, I must risk suggestions of that sort which I can do the more composedly as I am perfectly content with my own work and cherish no ambitions elsewhere.

The point is that, with an Executive Council denuded of a judicially experienced officer, the impression prevails widely that judicial affairs and judicial functionaries run the risk of receiving far less attention than they deserve, that the interests of the department are apt to be subordinated to those of other departments which are more closely in touch with the Executive Government or of which the Executive Government more easily recognises the importance. With great deference and respect. I am of opinion that there is good ground for such apprehensions—not in the least, because the Government is conscious of any preferences, but because it is so immersed in its own heavy cares of direct administration that it has little time or opportunity to study the needs of the Judicial branch with the same attention which the High Court is in a position to devote. I am also of opinion that the rank and precedence of

Sub-Judges should be higher than they are. 28776 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?— In regard to appointments to Assistant Judgeships I am decidedly of opinion that, if such appointments are not to be made entirely by the High Court, they ought to be strictly subject to the High Court's approval and concurrence, Promotions to Sessions Judgeships from the Tribiologies to designed the state of the control o quite satisfactory. In such cases there is frequently visible a tendency rather to reach an acquittal than to deal fairly with the evidence and in private conversation one is often met with the view that it is useless to convict a murderer seeing that his conviction cannot restore the deceased to life. Such views, expressed or implicit, and a certain timidity in dealing with the more serious offences against the person are, I think, only to be removed by such training as the Government Pleaders: receive

Mr. S. L. BATCHELOB, called and examined.

28777. (Chairman.) You are a Judge of the High Court of Bombay ?- I am.

28778. You are opposed to simultaneous examinations?—I am.

28779. But you see no value objective 28779. But you see no value objecting Indian recruits for the Indian Civil selecting Indian recruits for the Indian Civil Service in India by a system of combined nomination and examination?—Yes, Perhaps, I rather overstated that; when I said I saw no valid objection to it. I mean that it, all things considered, some such measure had to be taken, that was a better measure than the open competition.

28780. Do you think that the present single onen competition.

open competition gives sufficient opportunity for the acmission of Indians into the Service?—I am not prepared to my that it does give sufficient

. 28781. You would like to see some additional opportunity afforded to them?-Yes, My own leaning is to afford that opportunity rather by promotion from the Provincial Civil Service Of course, it would not give you technically I. C. S. men, but it would give you men holding the same offices and drawing very much the same pay. If that was not considered sufficient to meet what the Commission, held to be the legitimate aspirations, then rather than allow the pure competative system I would fall back on this alternative.

28782. Have you say idea to what extent you would admit Indians by means of an examination n India?—No, I am not prepared to give a Mr. S. L. BATCHELOR,

Continued\_

28783. Have you thought out at all what scheme would be the most desirable for carrying out an examination in India? For instance, would you have one which would be open to the whole of India or one which would be open to a select number of candidates from each Province in India?--I should prefer that it be open to a select number of such candidates and that it should not

be a merely literary examination. 28784. Do you consider there is room for an increase of Indians in the Service today?—I think there is room, but I am not prepared to say for how many more. I think the door ought to be widened, but I am not prepared to say exactly how far it ought to be widened.

28785. Do you think that on general political grounds the demand made is one which should be considered favourably?-Partly that, and partly I think owing to the promise which Indians have given and are now giving of being able to hold superior posts. I think probably that at first there would have to be some little sacrifice in efficiency, but my own idea is that that might be accepted up to a certain point. 28785. You think that that sacrifice of

efficiency will tend to diminish as time goes on? I think it probably will tend to diminish; that is

I talink in properly will then be unimissal; that is my hope and my belief.

28787. Were such a scheme of a separate examination as you have put forward introduced, you would abolish promotion from the Provincial Service to "listed" posts?—I am afraid that would have to be done because one is really an alternative of the other.

28788. But you would still retain a certain number of District Judgeships for the Bar?—Yes. I should be prepared to offer a few to distinguished Government Pleaders.

28789. Do you think that the abolition of the "listed" posts would have a discouraging effect upon officers in the Provincial Service? - As I think Thave said before, I would rather promote upwards from the Provincial Service than give appointments by means of this separate examination.

28790. And you think that increased promo-tion from the Provincial Civil Service would meet the aspirations of those who desire to see an advance?-I think it would meet a great many of

28791. We have had an objection brought before us very often that under the present system those who attain to the position of the "listed" posts do so only late in life?—That no doubt is so.

28792. Can you suggest any means by which those posts could be occupied by younger men?—I do not know at present of any reason why they should not now be occupied by younger men who give sufficient promise, after five, six, men win give sandates pointed and we say seven or eight years' service. I do not see say necessity in the nature of things why you are bound to wait until they are advanced in years before you give them "listed" posts.

28793. I suppose it would be difficult to select men over so many other peoples' heads?—That would be a difficulty, but my own impression is that, whatever you do, you will be confronted with that difficulty in India.

28794. Whilst that would be very popular with the fortunate persons selected, would the system, if brought into general practice, tend towards the popularity of the whole Service?—No, net unless it was done with a sparing hand which, I think,

is only another means of saying that the selection would have to be very careful.

would have to be very cereau.

25795. In other words you mean that the
selection of young men would have to be somewhat
infrequent, and that, generally speaking, if you
increased the "listed" posts they would have to go in
the ordinary source of seniority?—I think pretably it would work out that ways.

25796. Those who got to these pasts by
semiority would only set there at a considerably

seniority would only get there at a considerably advanced age? - That is true.

28797. Can you tell us approximately what proportion of District Judgeships you would fill from the Bar?—I should not like to see any proportion reserved for the Bar, but I should like to see a certain proportion reserved jointly for the Bar and the Provincial Service, so that, the appointing authority, on a vacancy arising, would be free to select the best man from either branch.

28798. Bither from one of the inferior grades of the Provincial Service or from the Bar?-

28799. You would also appoint a proportion to the grade of Assistant Collectors ?—Yes.

28800. What proportion of these Assistant Collectorships would you suggest should be filled in England and what proportion in India?—I am not prepared to say. It is so long since I have been out of the Executive line.

28801. Under your scheme for an Indian examination would you suggest a probationary course for Indians in England?—Yes, that in my opinion is a very important part of it; I attach importance to that.

28802.

What would be the nature of that course and how long would you suggest it should last?-I should like to see at least three years in an approved University.
28803. Would you like to see Indians col-

lected as much as possible in one College?—No, just the opposite. My idea is that, so far as possible, during those three years they should avail themselves of what opportunities they get of eatching what one might call the English spirit— I do not know any better word for it.

28804. Therefore, you prefer to see them distributed?—Yes. I would certainly put every

obstacle in the way of their going merely as a clique and settling down in one University and coming back to India very much the same as they went to England.
28805. You do not apprehend the other

difficulty, that if they go in small numbers they may find themselves somewhat isolated during their course ?- That no doubt would be so, but I understand the India Office now are making rather good arrangements for their supervision, 28806. Do you think the India Office supervi-

sion would be such that they would be able to control the men in the College of a University?— I think it is a matter of detail which may be arranged in consultation with the India Office authorities,

28807. Anyway, you regard that as the less of the two evils?—Yes.
28808. You urgo that probationers should get a good legal training?—Yes, I would have that imposed upon all civilians during the period of probation in England. 28809. Do you also set store by the colloquial

instruction in England?—Yes.
28810. Do you think that collequial proficiency as distinguished from the foundations of 4th March 1918 T

154

grammar can best be taught in England?-It was taught to ne. I was not at Oxford or Cambridge but at London, and at London both Marathi and Gujarati were taught to me.

28811. Did you find you could talk with the cople very well when you came out?—Yes, on my English instruction

Is not that rather exceptional ?-We . 28812. Is not that rather exceptional?—We had an Indian to teach us and that may be

exceptional. exceptional.

28813. You have found by experience
in india that you could learn the language
from an instructor in England as well as if were going about amongst the people here ?-No, I would not go so far as that. In my particular case, I had learned enough to carry me round. The point I was making there was that I wished to insist on the colloquial part of it.
All these vernacular languages, if they fall into the hands of a certain class of totors in this country, become mere Senskrit and that should be avoided at all costs. It is no use teaching that Sanskrit vernacular to a man, because the person you have to talk to is the man in the field, and it is his language that the young Civilian should

28814. It is in the field that the young Civilian mainly learns the language, is it not?-Yes, and it is to the field be ought to go first.

You set great store by the Indian going to England for a three years' course. What going to Hogasia the Laropean during his term is your view about the European during his term of probation?—We had two years in my day, and I do not see any objection to that.

28816. Do you think it is best passed in

England?—I think so.
28817. And then the men should come out for an ordinary year's probation under a Collect-or?—Yes.

28818. In regard to pay, would you be in favour of a time-scale for District Officers as well as for Junior Officers?—I cannot say, because that is a question I have not thought out; I only suggested a time-scale to remedy the real disadvantages under which the junior men are

now labouring, 28819. Would you maintain the present system of recruitment for the Judicial branch?—I would, 28820. And select officers for the Judicial branch with not less than six years' service?—Yes.

28321. You regard this six years' service on the Executive side as a matter of importance in their subsequent career ?-I regard it as absolutely 28822. In your soheme the officer would take

study-leave in England ?-Yes, after he had been out in the country for some time and had sat as an original Judge for about a year. 28823. After he had been out about six

years?—About six or seven years.

28524. You think that an officer should have some experience of the charge of a Sub-judge's Clour?—I do.

Court - 1 ac. 23895. Would you give him that experience before he goes to England for study-leave or can be sturn — Before he goes Home, 28826. In answer to questione with regard to the Provincial Service I see you explain at length wave of the study to the account of the wave of the study of the service the fromment Service 1 see you explain as sengen your effection to the present appointment of the Subordinate Officers to the Judicial Provincial Service: You think that a better type of man could be appointed from that office by means of another method of appointment ?—I do.

28827. The present method being nomination, I take it from what you say that you would prefer to accept the results of competitive examination?— No, it is not that. I think the post ought to be offered to those first on the list in any given year. They would not necessarily accept them, but you would take the first on the list who did accept and put those names down for that particular year.

28828. All the successful ones on the list would accept, would they not ?-I believe not, even now, It would quite often happen that the first man would not accept because he would think he had a bester chance at the Bar. We have a great better chance at the Bar. We have a great number of Subordinate Judges who honestly believe, with some reason, that they have rather ruised their careers by coming into the Judicial Service

28829. Then the examination, you speak of, would not be a specific examination for the

Provincial Service ?-No.

28830. It would be an examination for outry to the Bar as well as to the Service, and the successful candidates would choose which they liked?-It is an alternative method of recruiting to the Subordinate Judiciary. Αŧ present, there is no method or principle in it that anyone is able to detect, and that gives rise to a good deal of soreness and bad feeling. are passed over by jumors, and they wonder all their lives why they were so passed over. 28891. You say that probably a better system

would be to offer the ascertained number of vacancies in any year to the successful candidates of that year in the order of their passing; do you mean by that an examination for the Provincial Service and that those who came out at the top of the list would enter it?—I mean that on their passing their qualifying Law examinations the headmen who pass in any given your should be offered these appointments.
28832. You object to these appointments being

made by the Government, and you would prefer to see them made by the High Court ?—Yes.

28838. I suppose as a matter of fact these appointments are made on the recommendation of the High Court, are they not ?- Some, but not all. After all, in the constitution, the power is with the Government, and the feeling of the Subordinate Judiciary—and I can speak for them as I have been spending rather a long ton amongst them is that they are dissatisfied; they say the High Court is unable to protect their interests and is

control by the Executive Government.

28834. (dir. Madge.) You attach some importance to what you call the conservative sentiment of the country?—I do not think I said I attached importance to it. I think I quoted it

as an observed fact. 28835. Taking it as an existing fact, have you thought out any plan by which people of influence, of the kind you have in mind, can be attracted to the Service of the Government otherwise than by competitive examination?—No. I have thought of it, but I have never snoseeded in thinking out any plan. The system seems to me to be based with difficulties. You mean, to make some allowmen not only for the candidate's intellectual. gifts and qualifications, but also for his genealogy and parentage?

28886. Yes !- I have not been able to think 23837. Having regard to the great importance of enlisting that element in the Government I

continued.

have asked other winasses whather on the Civil side you could not have some arrangement corresponding with that which Lord Curzon accord at with the Caded Corps, and one witness suggested the creation of Rajbuma Colleges within Divisit territory?— Personally, I should be very most opposed to that. I think it is in violent autitues to the spirit we are endeavourity to insplate in the print we have

are endeavouring to implant in India.

28838. You mean the democratic spirit?—I do.

28839. You have had experience as an Excentive officer before you joined the Beach?—Yes.

28840. For what period?—I suppose I was about ten years on the Executive side.

28841. Do you not find that the general experience gained by you as an Executive officer has proved of greaf value to you as a Judicial officer?

In this sken invaluable.

25852. From your experience of ten years in
you not think it wiser to delay the paried of
infracatinn to as then peried as possible? An apresible, of causes, but how far would it be possible?

I say sit or severy wars, though I am nat wedded
to any perticular figure. If you delay it longer
than that there is the risk that am no is set and
iss mind has taken what one may call the Breen-

tive ply. 28843. Do you think the Executive frame of mind is at all opposed to the Judicial frame of mind?—I do not suggest it is opposel; I say it

is something different.
28544. When you said you were willing to

2854. When you said you were writing to make some scribe in order to advance Indian offiers, had you in mind both the Executive and the Judicial side?—I had. 28345. As regards the Provincial Service, do you think the Government manages to get

28845. As regards the Provincus Service, do you think the Government manages to get much the same class of man in the Provincual Service as those who go Home to compete for the Civil Service 1—1 do not know whether the race we get in our Provincial Service are the same samp of most at those who come Home to compute for the Indian Civil Service. Do you mean in worldly position or clustational qualifications?

28846. They may be a little poorer, as you can judge from their not being able to pay to go to England, that I mean apart from unear money. Some writeessee have told us that they are pretty much the same class of mea and I should like to have your opinion on the subject?—I can afraid I caused answer that question as I am not sare whet the question is.

a common course views views as A and no Balle what the question is for a seking that question was to pat another, namely: What is your so just abother, namely: What is your objection, if you have any, to limiting recentional for the Indian Girl Service to promotions from the Provincial Civil Service |—That is the leaving of my own opinion. I would rather do that, because you are there dealing with most who have suchuly shown that they are men who have imbilied something of what we understand to be the Western spirit of administration as opposed to the Restruct, whereas, the other men are more or less unknown.

1ess unknown. 28848. That is to say, the proof of the pudding is in the cating?—Quite so. The best examination

is the work done.

28549. Do you think that the interests of the greak, ignorant masses generally run in the same direction as those of the smaller of these should be any difference, the Government in taking note of its responsibilities has to consider both these fasts—I suppose the interests of the interests of the interests of the interest of the in

governed and above all to be fairly governed. That I regard as their great interest. I think the claims of the other class, which ought to be considered very benevolently, must be considered subject to the claims of these millions to be well

and finity governed.

28850. With regard to the time-scale, do you think that it would be better, especially with regard to the younger men, to have a pro rate increase all round instant of a time-scale?—I am a final I cannot answer that. As I said to the Chairman, I cally adopted that are one sort of means of meeting the present missible under which justice men in the Service are labouring in the matter of prop ray; but I have not thoughtout the question.

and I am not competent to give an opinion as between alternative measures. 28851. With reference to the general rise of prices, that evil would be remedied partly by an

increase all round?—Yes.
28352. That has been done on the Bengal side of the country with reference to the lower

posts? —I agree that is the evil to be remadied.

28853. And does not that seem to be the

simplest way of remaying it?—It does. 28554. (Mr. Fisher.) At what age does a man become a Gyvernment Pleader?—I should say he would be looky if he got it at thirty.

28855. Is he appointed by the High Court?— I really could not tell you.

2355. About what age would you expect the Government Plauler to be promoted into the Girl Service?—I think in the past they have been rather elderly man; but I think the present tendency is to appoint them rather younger.

28557. But in any case, I do not suppose you

would get your Sessions Judge under 35 ?-No. 28858. How would that compare with the

Indian Civilian in the same post now?—I do not think there would be any very great difference. 28859. I presume that the Sessions Judge

who had been a Government Pleaser might look forward, if he were a very good man, ultimately, to a position in the High Court?—Yes.

so a possession in use large solution to standard in the Provincial Servise is gradually integrated an fixed from my own experience; I am, hardly competent to spark, but I am assared by most who engit to know, which if the old Scorodinate Jodges and Schordinate Jodges with how retiries, thus it is not rising but rather falling, that the present control and the Provincial Service—positing only of Schordinate Jodges—is probably not quite such a good man as was the case scaling.

a good must at was too use season.
28931. (Mr. Macdossid.) You say in answer
to question (?) that comparatively few Indians
sched their views to the general voicine of the
country and mosts are conceased only with the
interest of a cast or enabelistics of a casts to
which they happen to belong. Would you say
that is true of the University cheested Indian as
well as other Indians I—Its far less true of the
Boglish educated Indians than it is of the generality
of Indians.

28862. With reference to Indians ciucated in Indian Universities, what do you say ?-It is

ll annua Control and the statement made in 28593, So that that statement made in 28593, So that that statement made in connection with opinions regarding simultaneous examinations would require to be taken, with a certain degree of qualification I—No. I think the requires to be read strictly as it is written; "comparatively for Indians." I think that is still tree.

4th March 1913.]

but it would not be true to say "comparatively few educated Indians."

28864. Is it not your answer with reference to educated Indians?—No, it was not so in my

28865. I only want to get it quite clear, because you see it is only educated Indians who go up for this examination ?- I see the equivoca-

on : it might he read so, 28866. Then towards the last part of your answer to question (10) you make certain proposals regarding what seem to me to be two sections of the Indian Civil Service, one being the section of the Indian Civil Service as we know it, but if

we were to recommend your proposal would we not

be errating another section with other qualifien-

tions ?—Yes, I think you would. 28867. Would you not run the very grave danger of destroying the coherent unity of the whole Service? You would have two grades of whole Gervice. The would you not have two grades of responsibility being created —I think you would destroy what you may call the theoretical unity of the Service, but that I thought was a fair price to pay to avoid the dargers of the other.

28868. It is a thing that we should not recommend without very grave reasons? Is it not very much better, if possible, to keep the unity within this higher grade of the Public Service?— I do not know that I should agree that any great sacrifice ought to be made merely in the pursuit of theoretical unity of a Service. If real and substantial advantages were gained to the Indian aspirants, I should be inclined to content myself with that, if my view is adopted as regards the inadvisability of simultaneous examinations. It all ultimately depends on that.

28869. You agree that it is desirable sometimes and on certain occasions to sacrifice a certain amount of efficiency in order to gain a larger

end ?-I do.

28870. But as soon as that sacrifice is made. of course, all the energies of the Government would be to undo that sacribes so as to bring the whole of the cadre up to its regular efficiency — Yes.

28871. If you divide your cadre by the method of recruitment do not you make it absolutely imon recurrence to overtake the sacrifice that you have made as a temporary expedient?—I do not think you do. I do not think you recessarily make it

impossible.
28872. Would it not be far more politic to sacrifice the efficiency, if you have to sacrifice it, by a system which with a little screwing up can ultimately be made to be a uniform system of recruitment ?- Ceteris paribus I quite agree, but

I do not agree that the other things are equal. 28873. Does not the proposal for simultaneous examination meet my view with which, on the whole, you agree, rather than the particular proposal which you yourself suggest?—Yes. My only objection is, as I have endeavoured to say, that although the theory of simultaneous examinations can be put both upon the ground you state and upon other grounds, yet in India you would have to pay for it such a price as I for my part am not now willing to pay.

28874. You think the sacrifice of efficiency

would be so great?—Yes, and in my opinion the diminution of the prestige of the Service, which may be another way of saying the same thing, would be so great that at present I am not prepared to advocate it.

You have said that in your recent tour you found there was an opinion held by the Subordinate Judicial Service that its interests were overhome by the Executive Government, and that the High Court could not protect it. Would you mind telling us a little bit more in detail what is exactly meant by that? Is it that in the minds of these officers there is a feeling, whether rightly or wrongly held, that their judicial merits are not properly recognised by the Government?—I think there is a general feeling that Government are not very keenly alive to Judicial merits everywhere that it is not, so to speak, the particular business of an Executive Government to enquire into Judicial merits. That feeling is held largely,

continued.

I think. 28576. Does it take the form that the Subordinate Judicial officer feels that in the course of the exercise of his Judicial powers he must do things that would be acceptable to the Excentive

officer?—Emphatically not.
28877. Does it take any form like that familiar to us by the arguments in favour of the separation of the Judicial from the Executive functions on the ground that the Executive, being superior, imposes its will upon the Judicial?—No. 28878. It takes no formilike that at all?—No.

28879. At the same time, however, you want all these appointments to be made by the High

Court ?-Yes.

28880. I suppose through the ordinary political method, that you make the recommendations and the Government the appointment? You would not make yourself the absolute appointer?—Yes, I should like the Court to be the absolute appointer without any intervention of the Government except such intervention as the High Court might desire to evoke at any given time. In any time of doubt we should consult freely with the Government naturally, but I am keen on this, that the estensible constitutional appointer should be the High Court and not the Government.

28881. And that all appointments on the Judicial side should be made by the High Court?—

Yes, that is my view. 28882. Quite apart from Government inter-

ference or Government sanction or Government

approval?—Yes.

28889. Supposing that were done, would you still hold the same strong view that you expressed here regarding Judges being made members of the Executive Council?—I have never yet contemplated the passibility of getting this particular reform that I ask, so that I am rather "gravelled" for an answer. If we got this, that the High Court made all the Judicial appointments, I would still press that one member of the Council should be a Judge. I still think that would be necessary,

28884. So far as you have expressed 'yourself in writing, I notice the reason why you press for this, that the Executive Government has a habit of overlooking the interests of the Judiciary ?- Yes

28885. But if these interests were adequately looked after by the High Court that argument, to put it mildly, would not be so strong?—It would lose a good deal of its weight.

28886. In your view do or do not these various judgments that you have passed upon Judicial programmer than you have passed in favour of requirements amount to an argument in favour of the separation of the Judicial from the Executive-functions of the administration?—In my view, no. On the contrary, I am opposed to that,

Continued.

28887. (Mr. Chaubsl.) With regard to your proposal that the appointment of Sub-Judges should be left entirely in the hands of the Court, is the High Court necessarily in possession of all the information which it is necessary to have before appointing Sub-Judges?—At the present time, no; we have not the duty to perform and therefore have no information in our hands. If we had the duty we should collect the information.

2888. Supposing the duty were transferred to the High Court, would the High Court have the same means of ascertaining the antecedents of a candidate which the Government at present of a changase white we coveriments as present have?—I should say we should never be embarrassed by anything of that kind. We could easily find out. It would be the simplest thing in the world, for instance, to ask the Government.

28889. Then you would practically introduce the same elements which strike you as elements of irregularity now?—No. The element of of irregularity now?—No. The element of irregularity which strikes me is, that the ostensible appointer is the Executive Government and ultimately the power of appointing rests with the Government. I say it ought to rest with the High Court whose particular concern and business and function it is to know what men are fit to be and function it is to above write men are to be appointed Sub-Judges and what men amongst the Sub-Judges are fit to be promoted. 28890. So far as the latter portion of jour

remark goes, the promotions are entirely governed by the High Court?—They are not estensibly.

28891. But practically they are ?-That may be so, but in my opinion it is very important to have it also estensibly. The Subordinate Judges do not realise that at present.

28892. Why should the first appointments be necessarily with the High Court?—Because I think the High Court is in the best position to think the high Court is in the less position to know the kind of man likely to discharge Judicial functions adequately. I should say knowledge of that kind is more familiar to the High Court than to the Executive Government. If that is wrong

then I am wrong. 28893. How would the High Court know anything more about first appointments? You prescribe a certain test of legal knowledge and a certain number of candidates pass that test, and certain number or constitutions pass that test, and out of that number some persons have to be appointed as Subordinate Judges. The question is whether Government should appoint them or the High Court should appoint them. How would the High Court have any better knowledge about them than the Government ?- Possibly they might not in the case of the first appointments.

28894. So that your objections are not quite as strong in the case of first appointments as they are at any subsequent stage?—That is so,

28895. You said that a portion of the Judicial Service might be usefully recruited from Government Pleaders and the Provincial Service. Would you confine it strictly to Government Plonders or would you take any Pleaders of almost the same

as green't awon't extended to be determined by Pleaders owing to their exceptional opportunities of dealing with Criminal work.

2880. It is just with respect to that point that I wish to have your opinion on something which is passing in my mind. The private practices are also in the property of the private practices are also in the property of the private practices. tioner no doubt is more often employed in defending a case than in prosecuting?-Almost always one

might say.

18 often necessary to send out
private practitioners from the High Court into the
mutassal to conduct Government prosecutions, but that does not necessarily mean that if a private practitioner were asked to prosecute he would not be able to prosecute well?—My experience is that

they do not prosecute well. 28898. You have known of cases in which Pleaders practising in the High Court have been taken out to conduct Government prosecution?-

28899. Is it from the experience of their work that you have ventured this opinion? - No. it is from my experience generally of private Plenders engaged in conducting a Criminal prosecution.

28900. What would your spinion be from your experience of those cases which are conducted your experience of those cases when are conductors by private practitioners appointed by Government to conduct prosecutions? Would not you include them in the same category as the Government

Pleaders?—No, I would not, 28901. I think you said in answer to a nestion that experience as an Executive officer for a certain number of years was indispensable to a Judicial officer?—Yes.

28902. Are there not in this Presidency instances of District and Sessions Judges who are doing their work without having served for any time in the Executive Department of the Government in their early stages?-There are

28903. Do you find in the case of any gentlemen now in the Service that they are in any way appreciably handicapped on account of their ignorance of Executive work? - I am afraid I would rather not answer a question which is very embarrassing to me; it would be a High Court Judge pronouncing sentence on a Subordinate Judge; but I adhere to the opinion I have expressed.

28904. You were asked by Mr. Macdonald as to whether the Executive officer imposed his Executive will on a Subordinate Magistrate, and you said no, and I quite agree with you there; but looking at the question from the other end, ean you be quite sure that a Subordinate Magistrate in disposing of cases is not consciously or unconsciously swayed by his belief of what the Executive officer's opinion is ?—I should be sorry to make that imputation against an Indian Magistrate. If you care to make it I would not make it.

28905. Would you have opportunities of knowing whether that is really so?—Assurelly.

I should receive complaints I think.
28905. Complaints from whom?—From the
Magistrate who felt himself infunidated.

28907. I am afraid I have not made myself understood. Take a forest offence or an A'bkári offence, the trial goes on before a First Class or Second Class Magistrate, an Indian, and he decides in a particular way and probably convicts the accused. Can you as a superior Executive officer wount of the may a receive to makes use times in a particular way and provingly consider the standing who have quite as much work and associated. Can you as a superior Executive officer practice as the Government Pleader ?—I as the be zero that the Magistate in so deciding has not difficulty, and my opinion is not very decided, but been unconstantly sweet by his opinion of what the present I would confine it to the Government the opinion of his superior officer is ?—If he has been unconsciously swayed by something it is quite

clear I should never have any knowledge of it. 2890S. But, if he has convicted how would it come to your knowledge that he has convicted because of a certain reason?-If the thing were at all general, if the Indian Magistrates felt that

4th March 1913.]

28920. You said it is quite conceivable that the man who passed at the top might prefer to take his chance at the Bar. Do you think that

they were under any disadvantage owing to the position occupied by the District Magistrate, I do not think I should have spent all these years in this country in intercourse with Indian Magistrates

without having ascertained that fact. 28009. Unfortunately, your Magistrates have not the same legal training and the same general culture as your Subordinate Judges have?-That

is quite true.

28910. But unless direct complaints came to you, you would not be in a position to know the matter in the way that practitioners are likely to know about it?—I do not know. Practitioners I understand generally act upon instructions, which instructions we often find to be very inaccurate.

28911. This is not a question of acting on instructions in the conduct of a case; this is information which a practitioner might subsequently obtain after the case is disposed of ?- From

an interested party.

28912. Not necessarily from an interested party. It may be even from the Magistrate himself. Would you call him interested? Supposing in my experience a Magistrate, years after the disposal of a case, confessed to me that he was swayed in a particular way in deciding a particular case which I argued before him, that would be knowledge which is not likely to come to the cars of the superior officer and might come to the

knowledge of the practitioner?—Yes. 28913. (Sir Theodore Morison.) You said you

would like to see Judicial appointments estensibly made by the High Court? - Yes.

28914. Is that strictly constitutional?-I really do not know, but I understand that it is. have never had time or opportunity of verifying that and I do not know whether it is constitutional

26915. I am only asking you from the general knowledge one has that the representative of the Crown is the Government and the appointment is made by the Crown ?-There might be difficulty in the first appointments but I do not think there would be any constitutional difficulty with regard to promotions, and that is the point which I press most keenly.

28916. I understand that it would not satisfy on if it were the same practice as in other Provinces, that the recommendations should be made by the High Court and carried out with the Executive ?-That would not satisfy me.

28917. In your answer to question (13) you say: "I should much deprecate any separate method of recruitment for the Judicial branch," but I understood you to say you were not opposed to the direct appointment of Government Pleaders or a certain proportion of the Bar to the Judicial

Branch?—That is so. 28918. May I read that in the sense that you mean the Civilian Members who are to remain in

the Judicial Branch are not to be separately recruited?—Yes, that is all. 28910. You said there is an opinion abroad that the recruits to Government Service are not of a higher standard than they were. Do you think . that the educated classes are showing greater aversion to Government Service, particularly, in the Judicial line, than they used to show?—No, I think in this respect there is some manifestation of aversion, that the Subordinate Judiciary now offers a less financially promising career to a good Indian lawyer than it used to offer.

would have been so 15 or 20 years ago?-No. I

Continued.

28921. To that extent it is true there are other careers which are becoming more attractive

and for that reason we are not getting quite as good a class in Government Service as before?— That is so.

28922. (Lord Ronaldshay.) When you expressed your preference for recruiting Indians to the higher posts by means of promotion from the Provincial Service you had something more in year mind, had you not, than a mere extension of the listed post system?—I do not know that I

the listed poor -, ear answer that.

28923. When you said promotion from the to a particular listed post or promotion to the Commission of the Presidency?—I think I meant primarily promotion to the Commission.

You think there would be no insuper-

able difficulty in selecting men at a sufficiently young age to put them on a par, when they were promoted, with their colleagues who had been recruited for the Commission in other ways? -I do not think it would be insuperable.

28925. (Mr. Heaton.) answer Mr. Macdonald you said that certain matters in your opinion did not form any basis in support of the separation of the Judicial and Executive functions, but you were dealing there with officers who exclusively perform Judicial functions, so that of course, the question of Executive functions did not really come in ?-That is so.

28926. With reference to the discontent of Subordinate Judges, is there a feeling amongst them that the present method of making appointments is unsatisfactory?—I should say a universal feeling, and I say that after making a two months' tour throughout the districts where I met very nearly all the Sub-Judges of the Presidency.

28927. And you have in your evidence sug-gested a medification of the method which now exists ?-Yes.

28928. I believe you have very definite opinions about these qualifying appointments?-I have.

28929. Briefly, what would you say about them?—I condemn them utterly. I say they have failed in practice, and I say they were such posts as never could have been expected to succeed, and in practice did not succeed.

28930. As to appointments to "listed" posts in the Judicial Branch, which are made by Government also, is there any feeling about them?— Recent appointments have excited a great deal of feeling and much dissatisfaction.

28931. Have recent appointments been made after consulting the High Court?—My impression is that they were made without consulting the High Court.

28932. Supposing that there were separate recruitment of the Judicial branch of the Service what effect do you suppose that would have on the relations of the Collector and the District Judge ?—A most unhappy effect. I think. There would be seen developed an antagonism which I think would be disastrous to the administration of the country.

Scantinued.

vo28988. Have you looked into the figures relating to salaries? First of all, with regard to District Judges, it is stated that the average pay is less than the average pay of the District Judges in any Province in India?—That is what I myself have collected from the figures collected by the move contested from the lightness collected by the Registrat of the High Court. 28934. Do you know what pay Assistant Judges are receiving?—Hs. 776. 28935. It may, I believe, reach as much as Rs. 900 a month?—Yes.

28936. And some of the Assistant Judges are Joint Sessions Judges and may try murder cases ?--

28937. How does that condition of things you?-The condition strikes me eminently undesirable. There are men holding clearly superior appointments who on the theory ought to be paid at not less than Rs. 1,000, and they are drawing less pay. 28938. Do you think that even Rs. 1,000 a

month would be a suitable pay for a Judge who was empowered to try murder cases?—No, I

do not.

28939 It should be something higher than that ?—It is difficult to hit on a figure, but I think that Rs. 1,500 to Rs. 1,800 should be the minimum

pay of a judgo invested with those powers. 28940. There are one or two questions I should like to put to you about the legal training of officers who are to become District Judges? Formerly, the training they got at home consisted very largely of practically learning by heart Codes very largely of incomeany actuming by near tooles and the Evidence Act. Do you attach any importance to that kind of training?—None whatever. I think it a most lamentable waste of time considering that no Judge would pass any order under a statute without having the statute under his eyes. Clearly, therefore, it is no business of the candidate to learn a Code off by heart.

28941. Can you suggest any method by which what one may call Angle-Indian Law could be taught during a period of probation? Supposing, instruction were given in the broad general principles of Law and it were indicated where exactly those general principles found a place in our Anglo-Indian Acts, do you think that would be a useful training?-I should say it

would be an admirable system.

28942. As to the work in the Judicial Department, do you agree that, in the case of Assistant Judgez and District Judges at any rate, by far the most important part of their work is ascertaining the facts of the case ?-I do indeed and I have said so in my written answers. It is not only the most important part of the work but it is that part of the work over which a good District Judge spends I should say seven-tenths of his time at least.

28948. And a trained lawyer's legal equipment is not a very important matter for that pur-pose?—No, not nearly so important as common sense and a knowledge of the language and

customs and habits of thought of the people.
28944. What do you think about the trained lawyer's knowledge as an equipment for dealing with the kind of documents you have to deal with in the mufassal ?—In some cases it would mislead him because the mufassal document is drawn by a

perfectly inexpert man and, therefore, needs for its consideration nothing but the ordinary principles of common sense. If he applied to it the artificial rules of construction of English Law he would be

bound to go wrong, 28945. So that you think there are other matters that are quite as important as legal attainments if you wish to have a useful, sound District Judge?—That is my opinion.

28946. And some of these qualities are likely to be developed by Executive experience?-Yes.

28947. And general experience in any work almost in this country?—Yes, 28948. Turning to the case of Subordinata Judges, have you also verified there the statement that they are worse paid now than they were a good many rears ago?—I think I can give you the figures. The average pay according to the figures submitted to me officially of the Sab-ordinate Judges now is Rs. 314. In 1865, when work was immeasurably less in volume and very much less complicated in quality, the average pay was Rs. 337. Since then, the Subordinate Judges have lost at least one Small Causes Court Judgeship, namely, that here in Bombay, and I believe they themselves think they have lost also two other Small Causes Court Judgeships, but I have not been able to verify that.

been able to verify that.

28949. That can be hardly regarded as a
satisfactory result of semething like forty years of
our neesent Judicial Department?—No, particularly when all this time they have been responding so well to the education and treatment which

they have received.

28950. Would you approve of a suggestion that every Subordinate Judge who is invested with power to bear appeals should receive a considerable special allowance in addition to his salary ?-Yes,

28951. (Sir Marray Hammick.) How much Executive work does the District Judge do—how many Subordinate Courts would be have under his supervision in a District?—I should think

about 8 to 12 would be a fair number. 28952. Sub-Judges' Courts?—Yes.

28953, Have all these Sab-Judges' Courts unlimited jurisdiction or only a jurisdiction up to a certain amount? Do all your Judges have unlimited jurisdiction?—Yes, subject to this, that they have Small Causes Court jurisdiction which is limited by the sam. Otherwise, you may say they have unlimited jurisdiction.

28954. The District Judge has the power, I suppose, of appointing clerks, and transfers, and so on, in all these Courts, and also looks after the Názir establishment? – Yes.

28355. And that gives you a considerable amount of Executive and administrative work?— Undoubtedly. I think it is a very important part of a good Judge's duty and a part which takes up a good deal of his time

28956. (Mr. Chambel.) Comparing the salaries of Subordinate Indees in the Bunbay Presiduor with the solaries in other Provinces, are you aware that in other Provinces the Munsife, who are our Subordinate Judges of the second class, have less jurisdiction actually that in Bombay? -I was not aware of it.

4th March 1918.7

Mr. S. L. BATCHELOR.

Concluded.

28987. Our second class Subordinate Judges have jurisdiction up to Re. 5,000. In other Provinces, Munist's have jurisdiction in some places only up to Rs. 2,000 and in others up to Rs. 2,600 -I did not know that.
289895. That ought to be an argument for the higher salar vi tible Presidence? — Undoubbild?

28958. That ought to be an argument for the higher selary in this Presidency?—Undoubtedly, 28959. With regard to the questions about legal training that were put to you by Mr. Justice

Heaton, I suppose, you will admit that so far as the High Court Bench is to be recruited from District Judges more legal training is necessary than is needed to find correctly on facts?—If you mean that there are more questions of Law desided in the High Court than in the District Court, yes.

(The witness withdrew.)
(Adjourned to Thursday at 10-80 a.m.)

# At Bombay.

# Thursday, 6th March 1913.

#### TWENTY-SEVENTH DAY.

#### PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.O.M.G., D.S.O. (Chairman),

THE EARL OF RONALDSHAY, M.P. Sir MUREAY HAMBICE, R.C.S.I., C.I.E. Sir Theodore Morison, K.O.I.E. Sir VALENTINE CHIROL. MAHADEV BHASKAR CHAUBAL, Esq., c.s.r. WALTER CULLEY MADGE, Esq., C.L.D. Frank Groege Sly, Esq., c.s.i. Herbert Albert Laurens Pisher, Esq. JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :-

JOSEPH JOHN HEATON, Esq., 1.c.s., Judge of the High Court of Judicature, Bombay.

RAMOHANDRA Ráo Bahádur NABATAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona. RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poons.

M. S. D. BUTLER, Esq., Q.V.O., O.L.B. (Joint Secretary).

George Sermour Curtis, Esq., c.s.1, 1.c.s., Commissioner, Central Division, Poons.

Written answers relating to the Indian Civil Service.

28960 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil open competence? Do you accept it as generally satisfactory in principle?—I consider the present system of recruitment by open competitive examination as satisfactory as anything that can be devised for European officers. I am aware that a system of nomination is at present in force for recruitment for the Navy, the Egyptian and Soudan Civil Service, the Board of Education and I believe, other offices, but I do not recommend that that system should be extended to the Indian Civil Service. There would be a danger lest in course of time political influences should be course on come pointers influences should be brought into play; and posts given as a reward for political service. Nothing should be done which would in any way introduce the American "Spoils System" into the recruitment for the Indian Civil Service.

28961 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest ?-I do not like the present system. I consider that the men arrive here too old, and that, though they are probably intellectually superior to the candi-dates recruited under the old arrangement, they dates recruited under the old arrangement, they are not sufficiently adaptable or receptive of new ideas. The first few years of a Civilian's life in the country involve attention to and study of what seems dry detail and trivial routine and it what seems dry detail and thread routine and it seems to me sometimes that young men, when have been 5 or 6 years at a University, are rather above such things. An officer of 26 is probably not as kindly disposed towards the grind of "north drill" as one of 21 or 22,

records only as one of 2.50 rec. 28962 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do

not think that the system of open examination is equally suited to "Natives of India." If the principle is pursued to its logical conclusion it means that no regard is to be paid to considerations of caste, family history, and above all, loyalty. If regard is had to mere ability to pass examinations the youth who comes of a high and loyal family and one who has passed his life in an atmosphere of sedition stand on the same level. Political conditions being what they are, some form of nomination which will prevent candidates of one caste or one section of casto securing an undue proportion of the appointments and will ensure as far as possible that they come

of good and loyal stock is absolutely necessary, 28968 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you

propose?—Not that I am aware. 28964 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons ?-I do notilike it. If a candidate could pass the combined examination mainly on the subjects which he has already offered for his degree there would be less objection to the present dagree there would be less objection to the present double examination. But, as I understand, the position, he cannot: the high Wrangler or the Oxford Honours man has, after his terribly stiff final school, to sit down and cram up the subjects, that senot, to see owns and examination point of view as a school-boy. The number of first-class men, who will go through this labour, is limited: and those who do get through prefer limited: and those was no ges among preter the Home Civil Service, where, if the initial pay is poor, there is no expatriation, a man can stay on in office up to 60 or even 65, and there are opporin office up to not oreastly and units are oppor-tunities in the way of journalism, literary work or teaching for supplementing the official income, 28965 (6). If you do not consider the present

system of recruitment by an open competitive

examination to be satisfactory in principle, please state what alternative you would propose. you recommend a system based on any of the following principles:—(a) Selection by head-masters of schools approved or otherwise; (b) Selection by authorities in Universities approved or otherwise; (c) Nomination by head-masters or University authorities and selection under the orders of the Secretary of State; (d) Combined nomination and examination; (e) Any other method?—I do not think that any system of nomination is desirable as regards Europeau officers. For "Natives of India", I would advocate a system of combined nomination and examination: the nomination to be conducted by a Board in each Presidency. The Board would be instructed to see that the candidate's antecedents are satisfactory; that his family is respectable and loyal and that he himself, if he passes, will do credit to his service. I would not lay down any definite proportion between Europeans and Indians. But I should be inclined to favour a certain measure of State help in the form of scholarships to be given to promising boys, who would be willing to go through a training at one of the English public schools. Should these boys fail to secure a place in the Indian Civil Service, I would give them

28966 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural born subjects of His Majesty?—There is one preliminary objection to the simultaneous examination that it would be very difficult to arrange having regard to the difference of time. London time is behind Indian time as follows:—

		н.	M.
Karachi (lat. 67 E.) by		4	26
Bombay 73		4	50
Delhi 77½		5	10
Madras 80		5	20
Calcutta 87		5	48
Rangoon 96		6	24
Hours of Indian Civil	Service	Exan	oinstion
10 a w 1 p.w.			

posts in the Provincial Service.

2 г.м.—5 г.м. Thus, when the examination begins in Madras it is 4-40 A.M. in London. If the Madras candidate sits out the whole paper and then wires the questions to a London candidate, the latter has a good two hours to prepare—say from 8 A.M. to 10 A.M. But, as candidates can enter or leave at 10-20, the maximum period available is the full 5 hours 20 minutes. Madras has been taken as a convenient centre for India. But figuration is held, as now in August, one place for it will not be enough. Owing to storms in that mouth railways are frequently blocked and sea traffic is stopped. The examina-tion must then be held at various centres and one centre must certainly be Rangoon. All must be held at the same real time so as to prevent telegraphing. Therefore, the London examination must be from 4-26—11-24 PM. To prevent the contents of the papers being cabled to England it would be necessary to look up the candidates here on Chinese principle: or eise, have only one paper a day beginning at 2 P.M., in India and 10 A.M. in London. This would spin the examination out to nearly a month and impose a strain on the candidates which would be almost intolerable. However, putting that on one side, the introduction of simultaneous examinations would mean a rush of Indian candidates the vast majority of whom would belong to one classthe Brahmanical one—which already in my part of the country practically monopolizes all the posts open to "Natives of India," This change would entirely alter the British character of the Administration and have disastrous effects on the loyalty of most of the population and their belief in the beneficence of the British R4j.

28967 (8). Are you in favour of bolding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—It

does not seem to be necessary

28968 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not approve of the idea. I do not think that it would be popular among Indians themselves. There should, I think every one agrees, he only one corps d'élite and only one way of getting into it. The Indian, who entered in virtue of one separate examination held in India, would never enjoy the same prestige as one who entered by the test to which candidates examined

in England had been subjected. 28969 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, pleas describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I consider that admission to the Civil Service of India should be only open to candidates selected by nomination in that country. In no other way will all classes and

country. In no other way will all classes and communities be represented. 28870 (12). Would you regard any system of selection it lolds which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, this present system of promoting to "listed" posted officers of the Provincial Civil Services? If the former, what sileration, if any, would you recommed in the conditions governing the Pro-vincial Civil Services?—I do not recommend any vincial Civil Services ?—I do not recommend any system of selection in India for the Indian Civil Service, except the preliminary nomination of candidates who are to proceed to England to

appear at the open examination.
28971 (13). Do you recommend any separate
method of recruitment for the Judicial branch of the Indian Civil Service ?-No. I have seen no evidence which convinces me that the existing method of recruitment is in any way unsatisfactory

or could be improved.

28972 (14). Are you satisfied with the present definition of the term "Natives of India" in definition of the Government of India Act, 1870 (33 Vict. c. 3), as including any person born and demiciled within the Dominions of His and connected within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such Mr. G. S. CURTIS.

Continued.

persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—I am.

28973 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I prefer to fix the age limit so as to attract candidates of a normal school-leaving age, viz., 17-19. I believe that if this age were adopted now, a very good class of competitors would be attracted. Previous to 1891 the Indian Civil Service was very little known except among boys with Indian connections: in fact India as a career was unknown to the bulk of the professional classes in England until its discovery by Rudyard Kipling. Consequently, boys' thoughts did not turn that way. Moreover, candidates from English public schools were often directly dissouraged from appearing for the Indian Civil Service; the ordinary public school of that period resented having to prepare for anything but a scholarship examination, and boys who wanted to go into the Army or Civil Service, were generally regarded as a nuisance and driven off to expensive enumers. Now that is all charged. Public schools now realize that they must specialize. If the age were reduced the public schools would at once modify their arrangements so as to prepare for it: and there would be far less of the cramming, which was so noticeable before 1891, and which discouraged so many boys from attempting to pass the examination. It may be taken as fairly certain that if the age were reduced once more, the examination would attract the very best of the public schools: in my

time it certainly did not. 28974 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17-19 years, followed by two or three years 17—19 years, followed by two or three years' pochation at an approved university) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—12 seems to me impossible to compare the relative merits of candidates recentised at the various ages specified. What the older nen gain by a more matured intellect, perhaps the younger mean make up by a greater command of defail and knowledge of this country. The best age for fining flightlights out raise in Italies. junior Civiliaes to arrive in India is, I believe, 21 or 22. At that age he is physically old enough to stand a tropical climate, and mentally quite sufficiently developed to start on his life's work as an administrator. If he comes out at a later age there is a danger that he will never really take to the country; added to this there is the risk that the necessity of passing through three severe examinations in three, or sometimes even two successive years, that is to say the Final Honour School at Oxford or Cambridge and the Entrance and Final Examinations for the Indian Civil Service, may impose a strain on his physical and mental powers from which he may never recover. I have noticed several cases of late years in which newly arrived Ovidians seemed thoroughly jaded and fagged. Whatever the defeats

of the Civilians appointed under the old rules—and there were doubtless many—this was not one.

there were doubtiess many—that was not one.
28975 (17). What is your opinion regarding
the autability of the recent recruits to the
Justian Crift Serrice?—I think that they are
generally very well fitted for the duties which
they have to parform; and I do not birth that
that phave in any way deteriorated. But, I think
that they would have been better still, if they had
how brought out at younger age.

28976 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The Public Service Commissions of 1997 Commission of 1887 recommended that the age should be raised because they thought that an Indian boy was handicapped by having to acquire English so early in life. I doubt whether an Indian by is any less handicapped by the fact of English being a foreign tongue at the age of 22 than he is at the age of 17; it is believed that in the knowledge of subjects such as mathematics, natural science, etc., he matures more quickly than the English boy: and that to that extent the serlierage favoured him. In any case English is now so widely spoken and read in all big cities in India that it is difficult to believe that a boy, coming from the classes which contribute candidates for the Indian Civil Service, is more haudicapsed by ignorance of English than the inhabi-ant of Guernsey or Northern Scotland was thirty years ago. I think that it would be of the greatest possible advantage to catch the Indian candidate young, and give him his university training while he is young and impressionable. For the Indian therefore even more than the European 17-19 is the most suitable age. If the selection of the age leads to Indian boys going to English public schools, it would be a move in the right

dicetion. 28977 (20). On what principle should the subjects for the open competitive examination be itself? Do you accept the principle laid down by Lord Massulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, be whatever calling he may drove b inself, have any reason to regret the time and labour which he had speat in preparing himself to be examined," and that the object should be to searce, not speak that it is a subsequent Indian career, but the ordinary well-demanded young man of the period; ——I deal that 24 years in India disqualities me from cularging on these points, I would only suggest as regards the carriedness of 1878—1891 that it would be advisable to exclude Italian; and that the mirels for the three English samplets and Logic and Political Economy should be raised to 440 each. An indifferent classical exhalar was able in my time to sorre more marks than a really first class man in English subjects.

28978 (22). Is any differentiation in the subjects for the examination desirable between condidates who are "Natives of Ludia" and other candidates?—No differentiation is desirable.

28973 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil

Continued.

Service and, if so, what posts and for what ressons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54), and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]?—Reservation by statute appears to be necessary. I do not propose any alteration in the Schedule attached to the Indian Civil Service Act.

28980 (24), Lo you consider that a minimum proportion of Burquan subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natires of India." might, under present conditions, properly be admitted?-I understand that at present Indians are held to be entitled to one-sixth of the higher posts. I do not think that that proportion should

be raised. 28981 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the India Civil Service Act, 1861 (24 and 25 Vict. c. 54)? Do you recommend any alterations in this system and, if so, what?—The present system of recruit-

ment appears satisfactory, 28982 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am opposed to the revival of the old system of appointment of Statutory Civilians. Their whole resistion was anomalous and satisfied none. Our present system of nomination to the Provincial Civil Service is far

more satisfactory

28983 (45). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a proba-tioner's course of instruction in Bugland? Do you recommend the continuance or abolition of this system?—As already indicated, I am of opinion, that the age should be 17 to 19. If this be assumed, I would recommend that all the candidates should be collected at one university, Oxford for choice, and remain in residence for three years. Their course of studies should be modelled or the course approved by the university for the Honour degree in Law supplemented by

\*I would enclode the Freeding papers in the main Freeding Codes which are better learnt out and Muhammadan Law. In leve.

here. fact, I would recommond that they should graduate in Law. Some such course has been hid down by the university for students from the Cape. To this should be Accessed the reporting of an adequate number of cases in the law courts. It should be recog-nized that the principal object of study should be Law. Only one language should be learnt, which for all candidates except those from Madras should be Hindustani: other languages can be

acquired out here. The university better authorities would doubtless be willing to excuseandidates from passing moderations: in lien of this, candidates might be put through a course of Indian History, Economics and Book-keeping, But, I would not regard this as essential, and I But, I would not regard this as essential, and I would not encourage candidates to spend their time on Agriculture, Chemistry, Botany and similar subjects. The main thing as far as study is concerned is that candidates should have a grounding in Law. I would recommend that candidates should receive £150 a year while at college and a passage allowance of £50. I would recommend the massing of all students at one university in order that they may get to know one another and cultivate esprit de corps: and also in order that it may be possible to provide a proper body of instructors. Money is obviously wasted when candidates are distributed over four or five universities,

28984 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—An allowance of £150 per year should be paid: also passage-money up to £50.

28985 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?-I would not provide a separate institution, as to do so would deprive the candidate

of the great advantages of University life, 28986 (50). If a probationer's course is con-tinued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer to the them for their calling. Boos your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University to allow who to maker comparing a Oniversity course?—Assuming, however, that the present age is maintained, I would prefer to bring the candidates out to India directly after the exami-Most of them, who have graduated at the University, have already been there four or even five years: and have had enough of it. For those who have not, one year's residence is too little to

do any good. 28987 (51). Please examine the statement printed as Appendix VI to these questions, show-ing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination and (b) under any medification of that system recommended by you?-See above. I am in favour of attendance at the Law Courts and of teaching Indian Law. To a student who is following the ordinary Honours course in Law the study of the Indian Codes in course in Law the study of the Indian Codes in addition to the ordinary curriculum should present in difficulties: in fact it would be a help. I would restrict the teaching of languages to Hindustani: possibly an attempt might be much to proceed collound instructions. These must be a large collequiat instructions. There must be a large number of Indians speaking this language in England whose service would be available for giving conditates practice. Indian Geography is unnecessary. Political Roomeny and Accounts may be added if this can be done without detriment to the candidate's legal studies.

Mr. G. S. CURTIS.

28988 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The period of probation is hest spent in England if the age is reduced : other-

wise in India. 28983 (54). What is your opinion of a proposal

to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not approve of the proposal. It would be difficult to obtain a satisfactory Principal. I consider that a young Civilian can learn more by watching actual work, attending

Courts, etc.

28990 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable course of instruction for the whole or portions of the first two years of service at some suitable centre?-I consider it unnecessary. They learn very well

as it is.

28991 (56), In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental taken that the preminery training in Orientas languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical elimate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—As far as administration is concerned, the principal requisite is a mastery of the ordinary language as spoken and written by the people. This will best be acquired in India itself. A scholarly knowledge of the language is, no doubt, a useful accomplishment: but very few officers have any bent in that direction ; and in any case it is not desirable to modify arrangements which will suit the majority for their exclusive benefit.

28992 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what up their appendiculars in 1993; 1 to 05, while change should, in your opinion, be introduced?—
The question of Departmental Examinations and training of junior Unitians is at present under discussion by the Commissioners: changes will probably be made, but I cannot say yet what

those changes will be. 28993 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the couses? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—The members of the Civil Service in this Presidency, are all, as far as I have seen, proficient in at least one vernacular: most of them in two, some in three and more: the Bombay system of spending seven months a year in camp makes them so. I do not think that any changes in the rules for the encouragement of study of Oriental languages are necessary.

28994 (64). Please give your views as to what steps (if any) are necessary to improve the profi-ciency in the knowledge of law of members of the

Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chamber or other), and what conditions do you propose?-I have no knowledge of the Judicial Department and but little value can attach to my answers. As already stated, I would urge that all candidates should have a thorough legal training at the University. More than this would probably not be wanted for officers employed in executive posts. For Judicial officers I would recommend the grant of study leave. As to how this should he spent I am not qualified to advise.

28095 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-horn subjects of His Majesty? If so, please state your

proposals?—I do not think so.

28996 (72). The present theory underlying the conditions of service in the Indian Civil Service is (a) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones and (6) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per measers is ascertained, and it is endeavoured to recruit only assertations, and to be concavoured so recent only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?-I think that the principle lail down in the above question is thoroughly fair. I do not think that any alteration should be made if, as I recommend, the age is lowered.

28997 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions are dmy reconcited, and more you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that the compulsory retirement of inefficient officers should be resorted to far more extensively than has hitherto been the case.

what extent are the 28998 (88). To functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—There is practically no m what directions — innere is practically no interchange in the Bombay Presidency between the personnel of the Revenue and Judicial Departments. Practically, when an officer joins the Judicial Department he remains in it for the rest of his service. Revenue officers, i.e., Collectors and Assistant and Deputy Collectors, exercise magisterial functions: but have no civil jurisdiction. Subordinate Revenue officers also have limited magisterial powers. I see no reason for any change in the existing arrangements.

166

28999 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—There is a great deal of dissatisfaction felt at present. Promotion in the lower grades has, for some reason or other, been very slow and the result is that officers of twelve ears' service are only drawing Rs. 766 a month. years service and only orange less, to be man of \$8 with a wife and family and probably a child at school in England cannot be expected to be contented with an income of £812 a year, from which Government deduct about £25 for his pension. This instance is only mentioned as one in which relief ought to be given at once: it is hoped that the extra grade of Assistant Collector and Assistant Judge on Rs. 1,200 will be sanctioned without delay. But it is important to bear in mind that the general rise of prices which is specially marked in this Presidency, has fallen very heavily indeed on the holders of fixed salaries: and that all grades of the service are to some extent discontented with the pay that they are receiving. It must be remembered that prices, particularly, wages in Bombay, are higher than in any other province: indeed it is not too much to say that the ordinary cost of living in this province has doubled in the last 15 years. For this reason, it is urged that in addition to the extra grade of Assistants on Rs. 1,200, Government would do well to create a third grade of Collectors would up well to create a nature grace of Collectors on Rs. 2,500 to create a nature grace of District. Judges on that salary. It will be noted that the grade exists in Madeias, which is a much less expensive Presidency. There are a number of other points on which there is a certain amount of discontent; such as the high rents often charged for official bungalows, the inadequate allowances on transfer, the lack of sumptuary allowances in posts where a great deal of entertaining has to be done, and so forth. A little liberality in these directions would not cost much and would remove

a good deal of justifiable irrifaction.
29000 (94). Do you consider it desirable
that there should be uniformity of payment for
similar kinds of work in all the provinces, and
does my disastifaction on this sore exist in your
province, sad, if so, what?—As already stated, pay
should be adjusted to prices: and as prices in
Bombay are high, the pay should be meterated.

accordingly.

3000 199. Do you cracider that the
exchange compensation allowance introduced in
1983, elimibility for which depends on antiounity
or demiciel, should be abelished, and, it so, under
what conditions? Smooth such abelision apply to
officers already employed or be restricted to friture
entrants?—Exchange compensation allowance
may be abolished for future interests: its abelision
for those already in service would involve complications in the form of interests challes to persons

hitherto in receipt of it.
20002 (19). What is your opinion regarding
the substitution for the existing graded system of
promotion of a time-scale of salary? If you are
in favour of a time-scale, should it be restricted to
the lower grades of the service or not?—I have
no experience of time-scales and am opposed to
them on principle, as they must have n deadening
effect on a man's energy. But in practice, they
some to be necessary, especially at the present
time.

29003 (104). Turning now to the case of the Statutory Civilians and officers of the Pro-

vineal Civil Services holding listed posts, do you approve of the arrangement by which they draw scalary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the wirdous grades of the service? —I think that the arrangement is a reasonable one.

con.

20034 (106). Is there any reason to suppose that offers of the Indian Ciril Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this cus?—I think that, generally spacking, offers take less leave than they did any pers ago. They governly take their leave on full pay but not their findingsh. The reason is generally the increase in the cost of living both in England and here: the cost of living both in England and here: the cost is more and they on save less for meet it. The furlough allowances are fuir: but I consider that the 4-per cens. deduction for pension cought to be stopped altogether. No other service has to now for its pression.

29005 (110). Do you recommend any change in the concessiony granded in 1898, under which leave allowances, expressed in rupes, other than privilege leave allowances issued at the Home Treasury, or in a olony with a gold standard of currency, are issued in testing at the privilege rate of exchange of 12. & d. the rupes? If so, what change?—I have no remarks to make, The concession seems a reasonable one.

2006 (113). Generally speaking, do any of the messed leave rules applicable to the Indian Civil Service came heaverchose to the administration, and if so, what, and what remedy do you suggest i—Proposal have recently been received from the Government of India making extensive changes in the leave rules. These changes in the leave rules these changes in the leave rules are of the content of the

present.

20007 (136). Do the present leave rules applicable to Statatory Orvilinus, or to officers of the Provincial Ovil Services employed in listed prests, cause any inconsevalence to the administration, or press hardly on the officers themselves, and in what respects. In antividual, of you consider that separate sets of rules for such officers and for officers and for inflowed the Indian Origin Services are desirable 7–1 see no resson why the Provisional Cord Service shadin on have separate leave rules. They are working in their own constructions.

2008 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally anoestic as estisfactory by the Government and by the members of the Datian Civil Service 2—I submit that the 4 per conf. dedoction for the pension presses hardly on the service 1 no other branch of the service, nutilitary or civil, has to contribute for its pension. It would suggest that the pension be retained at the present ingene of £1,000 and the 4; per cert. dedoction turned into a Provident Fund, from which each member of the service could withdraw his share when he retires. This would give offices who rise to high posts some advantage when artifus over those who have not. Fulling this I would recommend enhanced pension, similar to these firms by Judges of the High Court.

Mr. G. S. Curtis.

continued.

for holders of certain selected appointments. Members of Council, for instance, might draw £1,200, and Commissioners (Revenue and Judicial), and Secretaries £1,100. Beyond this I do not recommend a system of pensions varying with the amount of salary drawn at the time of retirement. The pension of £1,000 at the end of 25 years is one of the great attractions of the service and it should not be touched.

29009 (124), Do you recommend the intro-duction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest !—I would strongly recommend that there should be some provision for compelling inefficient members of the service to retire and for granting to them subsistence pensions. I would suggest that these should be the same as those granted on medical certificate. In the case of officers retiring voluntarily (who would be very few in number) a pausion should be available after 15 years' service at two-thirds of the above

29010 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—The present system seems satisfactory. I have no

suggestions to make.
29011 (129). Do you accept as satisfactory the regulations of the Iudian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I am inclined to recommend such an increase in the existing rate of contribution as will allow of higher allowances being given, particularly to sons. In the latter case the allowance should be £150 a year from the age of fifteen onwards.

29012 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you, admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I would recommend the formation of a separate Indian Family Pension Fund for Indian members of the Indian Civil Service. I do not think that they should be allowed to join the ordinary Indian Givil Service Persion Fund.

29013 (131). Do you recommend that such admission should be optional or compulsory?-

I think that it should be compulsory.

29014 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—Fide reply to question (130).

### Written answers relating to the Provincial Civil Service.

29015 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method?

Please describe fully the system that you recommend?—I much prefer recruitment by nomination as it is the only method by which an admixture of castes can be secured. Speaking generally, I believe, that officers recruited in this way have given satisfaction.

29016 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited ?-Only residents in the province are nominated for the Provincial Civil Service. Residents in other pro-

vinces should not be selected.

29017 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what by nomination it has been found increasingly possible to secure the representation of all classes in the Provincial Civil Service. But there is still an unduly large number of Brahmans; while the Maráthas are scarcely represented at all. 29018 (9). What is the system of training and

probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, went alterations do you recommend? As regards probationers selected for direct appointment to the grade of Deputy Collector, the system of training adopted is exactly similar to that adopted for Indian Civil Service probationers: a short course of training in Treasury work, Survey and Agriculture, combined with work in camp under guidance of a senior officer

29019 (10). Is the existing system of Departmental Examinations suitable and, if not, what changes do you recommend ?- The whole question is under consideration. It is recognized that changes are necessary, but opinions differ as to what those changes should be

29020 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service ?-No.

29021 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotion to the first four grades of Deputy Collector and 1st and 2nd grades of Mamlatder is by selection. I do not think that

manificant is by selection. I are not the any change in practice is necessary.

29022 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of mean regarding is, fatterment on the subjects of selection for higher appointments and of the compulsary retirement of inefficient officers!—I should be glad to see some arrangement by which inbeginn to see some arrangement of matter in-efficient officers could be retired compulsorily on subsistence positions. Cases occasionally cocar in which an officer develops occentricities or weak-nesses of character which make him really unfit for his post; or indeed any post of approximately equal responsibility. It should be possible to dispense with his services without reducing him to starvation

29028 (18). To what extent are the functions of the officers of the executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—There is no interchange of personnel between the Revenue and Judicial branches of the service in the Bombay Presidency. The recruitment is entirely separate for each. Collectors and Deputy Collectors exercise magisterial powers but have no civil jurisdiction. I do not think that any change is desirable.

29024 (21). Are you satisfied with the present designation "The Provincial Civil Service"? If not, what would you suggest?-I consider the

title satisfactory.

29025 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I consider that the principle is sound.

29026 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what attentions do you recommend?—I consider these inadequate. There are only 12 posts out of 82 posts of Peputy Collectors in the first three grades: the remainder are distributed between the last three. Promotion is extremely slow, and there is not sufficient inducement to a man at the bottom of the list to do his best. I propose the following re-grading :-

Present.

Proposed.

$\begin{array}{cccc} 700 \times 6 \times 12 = 59,200 \\ 600 \times 6 \times 12 = 67,600 \\ 560 \times 20 \times 12 = 120,000 \\ 400 \times 21 \times 12 = 120,600 \\ 300 \times 23 \times 12 = 82,500 \end{array}$
449,800

Increase 20,200.

29027 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not made in the Provincial Civil Service? If not, what alteration do you recommend?—I do not see why grade promotions should not be given in leave vacancies. They are in the case of the Indian Civil Service.

29028 (26). What is your opinion recarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not ?- I do not the fower graces of the service, or not rest to them if like time-scales and would only resort to them if it was absolutely necessary. I believe that if the grades were re-adjusted, as I propose, no time-scale would be necessary.

29029 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding "listed" posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?-I do.

29030 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?-I do not believe that there has been

much charge.
29031 (32), Is all the leave on full pay due to
them ordinarily taken by officers of the Provincial

Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative opinion successive the superstitute actions of the provincial Civil Service Officers, as a rule, take such leave on full pay as may be due to them. When they do not, it is generally due to their devotion to duty.

29032 (33). Is all the furlough due to them 2002 (ed). Is at the introduction of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—A Provincial Civil Service Officer very racely takes furlough: he naturally dislikes going on half-pay. I believe the present rules allow quite as much furlough as is necessary.

29033 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present con-ditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

29034 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and if so, what; and what remedy do you suggest ?—I think not.

29035 (38) In particular, are they a contri-butory cause of excessive transfers of officers, and if so, how can this difficulty be met?—I think

not.

29036 (39). Do any of the present leave rules press hardy in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appro-priate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?---I do not think that the present rules cause any material hardship. But, the Government of India have circulated for opinion a new set of draft rules which seems to me to remove any possibility of grievance.

29037 (40). Is the present system of superannuation pensions satisfactory in the interests, both of the Government and the members of the Provincial Civil Service?-The pension rules are fairly suitable: but I would urge that it should be possible to retire inefficient officers on subsistence pensions. A scale of pensions equal to two-thirds. of the pensions admissible on medical certificates would seem to be suitable.

29038 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit Provident Fund, or to other official or officially recognised funds? Are any further facilities recognised nature. Are any intriner facilities required, and what arrangements of this kind do-you consider to be necessary?—I have no exact information. I believe that only a few subscribe to the General Provident Fund. I would strongly urge, I may say I have urged for some time past, that they should be forced to subscribe to the Provident Fund, or insure their lives under the regulations in force for the European officers of the Police and other Departments.

19039 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them ?-No.

# Mr. G. S. Cueris, called and examined.

29040. (Chairman.) You are Commissioner for the Central Division of Poona ?-Yes,

29041. Do you consider that there should be 2003. To you consider that there shown be as at present only one method of recruitment to the LCS, namely, by open competition in England?—Yes, that is my principal idea. 29042. You would have absolutely open com-

petition for European candidates, but would allow only such Indians to appear as had been nominated Provincial Boards of Selection in India. Would not that be regarded as a serious limitation by Indians?—I do not think that the selection by Provincial Boards need necessarily be very exclusive: my point is that at present candidates for the I.C.S. who proceed to England from India go with no certificate beyond one of birth which they take from me. A candidate for entrance to the Inus of Courts has to produce a certificate from the Collector, who must have known him for a year to certify that he comes from a respectable stock. For the Indian Civil Service there is no test whatever.

20043. And it is to that extent that you

would prescribe selection?—Yes.

29044. You would not prescribe any definite roportions of Europeans and Indians? Not in that connection, at present at any rate.

29045. You would be inclined to grant zeven. Lot would be inclined to grant scholarships to selected Indians to enable them to go through a training at an English public school?—If possible, especially with regard to backward communities.

29046. How many such scholarships would you suggest?—I should suggest about 15 a year,

roughly. 29047. Do you think that Indian parents would be found in any number who would be willing to part with their children at that age?—I have no doubt about it: when I came out to India twentythey pers go the number of Indiase in England was 164; at the present time it exceeds 1,800 besides a large number on the Continent. 29048. I suppose you are including the students who left looks at a later age than 147—I do

not think the matter of age makes very much difference now-a-day. I am quite prepared to let

the boy go at 15, it necessary.

29049. In order to enter a public school he would have to leave at about 14?—144, but, of course, the number who would enter a public school would be extremely small in those cases. I do not think there would be any trouble at all. There are only 15 scholarships a year

29050. The method of selection would be by a Provincial Board?—Yes; you would have to have a qualifying examination to restrict them. 29051. Then, if these selected Indians failed

for the I.C.S. you would make posts available for

them in the Provincial Civil Service?—Yes. 29052. You are opposed to anything in the nature of an examination in India : - At present,

yes. 29058. Either simultaneous or separate?-

At present.
29054. You do not think the time has arrived for it?—At present, I am only prepared to discuss it as an alternative. Seven Indians have passed for the I.C.S. this year, and at passed for present the Indians have every opportunity of entering the Service in the Royal way, and, no doubt, in another year we shall see nine or ten get in the direct way, which, of course, is very much better. This being so I do not think we need consider simultaneous examinations any further.

29055. In connection with your proposal to fix the age limits at from 17 to 19, you say, that if the age were reduced the public schools would at once modify their arrangements so as to enable hors to prepare for the examination?—They would

to prepare not use examinations:—Any would arrange 29056. Do you mean that they would arrange special classes?—Yes. My complaint against the old arrangements was that it was impossible for a public school boy to pass direct from the public s pulse school boy so pass afrect from the plante school without going through a crammer. Broadly speaking, a few did: but as a rule they did not. Now-a-days that is all altered and you see in practically every public school you go to a special class for a special subject which the boy is to take; whether Commerce or Engineering or the Army or anything of that sort.

29057. Certain public schools you say? —I am not sure about it. I only know the medern public school; I am not sure of Winchester or Eton, but I think the same applies to them. They have

an Army Class at Etch.
29058. Such a class would have to be carefully arranged to avoid the dangers of cramming '?-No, I do not think it is so. It is impossible in public school-life to have 'cramming'; the distractions are school-life to have 'cramming'; the distractions are so numerous that you have no time; it only means that the boy would be properly brought up to apply his time in the way that pays best.

29053. You think that the schools would combine a general scheme of education with the specialist scheme which would enable him to get into the I.C.S.?—One or two schools did in my time, but the general schools did not.

my time, but the general solution and not.

20000. Speaking generally, would you say a
larger number of Indians might with advantage lo
admitted to the Service?—To the Grid Service
generally, yes. I think I should be prepared to
a maximum with due regard to efficiency. We
a maximum with due regard to efficiency, we a maximum with one regard to concept. We have created a very big muching and we must have a certain amount of European ideas behind to drive that mochine: to keep up the ordinary bloss of efficiency we must have a very large processage of English labour.

20061. Do you consider that yout propeal allows for a reasonable increase?—I do not look at

asons for a reasonable forceses. —1 as not flow at it from that point of view: I say the first thing to do is to get efficiency in your European staff, and the proper way of doing that is to recruit at 17 to 19. If you find that you do not get what you consider a sufficient number of Indians this way, the only alternative is to change your age limit and have a separate examination.

29062. In India, if necessary?—Eventually, as an alternative, I should be prepared to consider Then, we should need to consider the questhat.

tion of a maximum and minimum

29068. I take it then that in order to ensure an efficient European service here you think it essential that the age for entry should be reduced?—
I do. I think it is desuable; at the same time, I

do not say that the present service is inefficient.
29064. You think it is desirable that the age for entry should be reduced down to the school leaving sage, and I suppose, you would admit that by the reduction to that age you would be putting addi-tional obstacles in the way of Indians entering the service through the English door ?-- I should hope 170

[continued.:

not: I might be. That is an argument that might be used against me. There were a certain number ne use a squares me. I mere were a certain number who passed in my time twenty-five years ago, when the age limit was 17 to 1.1. Since then, the study of English, generally, has made enormous strides through this country, and the Judian boy who goes home at 15, is practically bi-lingual if he comes out of a big city like Bombay or Poons. The difficulties of a foreign language do not arise as they did a quarter of a century or thirty years

29065. If it were shown that the reduction of age to from 17 to 19 did create these obstacles, would you consider the reduced age of such importance that you would adhere to it and be prepared to consider an alternative method of prepared to consider an inchance in control of entry by Indians in India? - Certainly, I would. First, I say, you get the efficiency for the English Service, and if thereby the reduction of age is an impediment to the Indian let us have a separate examination with an altered age for Indians.

22066. Starting with the cardinal principle

of a due proportion of Europeans?—Yes. 29067. Then you say that successful candidates should be sent to one University, preferably. Oxford, for a three years' course, mainly in Law subjects, and should take a Law degree. Do you think it would be desirable to concentrate as far as possible the probationers in one College or would you prefer to see them distributed ?-Distributed as far as possible.

29068. You do not believe in the method of concentration?-Certainly, not in a University.

29069. Why do you say that so emphati-cally?—Because I think even in my time there was a tendency for concentration in one college, and I do not think the effects were good, and I think the general broadening of a man's mind by intercourse with the people outside his own immediate life is a very good thing indeed-is an

all important thing.
29070. You do not think that Indians, distributed in twos and threes, would find themselves somewhat isolated in their life at the University ?- I do not think there was any ostracism of that sort in my time.

29071. Therefore, you do not hold with those witnesses who come before us and strongly advocate a central institution ?-No, I do not. would be very expensive and very narrowing

Do you regard as important a definite period of training for the Civilian in India before he commences his work in the Service?—I think a year is quite sufficient. In Bombay, it is practi-cally eighteen months before he is fully trained.

29073. You do not suggest any improvement in the present course of training?—No, I think as long as the Collector is carefully chosen for instructing the officer it is a reasonable course and I think this quite satisfactory.

Thus this quire sansaucory.
29074. Are you satisfied that the young
civilian, when he enters the Service, and during
his first few years, satisfiates himself-galificiently to
his new conditions?—That is my complaint about
the present armngements. I think that there are
wants offices when we have a more approximation of the present armngements. I think that there are the present armsgements. A finus was once the young officers who are most conscientions, and who have a sort of feeling that they are a little above what I may call the squalled detail of ordinary administration, which are very stricking sometimes, with their high intellectual attainments which the present system gives us.

29075. You consider that if the civilian commonced his work earlier, he would assimilate new ideas better?—Exactly. 29076. He would get into his work, under

your scheme, at twenty-two?-He passes his examination at 19, he would do his three years at Oxford, then takes his probation, and would come out at 22½, and be in harness at 23 doing trivial work. Now he is apt to be 26½, and this seems to me to be too ald,

29077. You think that 28 is about the ideal age?-Yes.

29078. I will now ask you one or two questions about the Service conditions. You recommend the creation of a third grade of Collector at Rs. 2,500 a month, as you say has been approved of in Madras. Is it not a fact that in Madras the districts are very much larger than any you have in Bombay? -Yes; on the other hand, living is a good deal cheaper.

29079. And would not the fact that there are no Commissioners in Madras have a bearing on the question of the grading of Collectorships?—They have a Board of Revenue which is practically the same thing. They have four members of the Board of Revenue and we have four Commissioners here,

which is practically the same thing.

29080. Do you consider there is ground for reasonable complaint in both branches of the Service as regards pay and promotion?—I would rather not speak about the Judicial as I have no particular experience of that, but as regards the lower ranks of the Revenue Service I would very strongly urge that conditions are not such as to lead to contentment or the recruitment of goodmaterial at the present time.

You say, in your answer to question (99), that you object to the principle of a time-scale man you opjet to the principle of a time-scale as a remedy for these evils?—I would rather not have it if it can possibly be helped. I would rather have a personal allowance. At present, it should be a temporary expedient merely. Perhaps, I may explain what I mean. All these things arise out of errors in recruitment, which are largely a matter of mathematical calculation. An error in decimals will make a very considerable difference in the flow of promotion five or ten years afterwards, and blocks will frequently occur. There was a block about 1896. Special expedients such as this are merely temporary things necessary to meet those conditions. For that reason I would not stereotype the service into a time-scale if it could be avoided. All that is necessary, it seems to me, is first of all to recognise that the general pay of the lower appointments is too low, increase the cadre, make up the scale which you think the man should get at a given service, and grant personal allowaness accordingly. That was done in 1888. If that, however, is considered clumsy, than go in for a time-scale. There is not very much difference between the two except that the one is more a netween the two except that the one is more a temporary expision than the other. In 1887, 1888, and 1889, personal allowances were given largely in this Presidency, but the necessity for their passed erray and we went back to the old cafre. At present, we want a revision of the eadre, and the Secretary of State has been asked for five new past for the Piret Assistants, and we also hew posts for the transmiss, and we also want personal allowances to ensure that officers shall be reasonably paid. We hope that possibly in three or four years the necessity for these special personal allowances may have passed away. Mr. G. S. CURTIS.

Continued.

29082. You say that a time-scale has a deadening effect on a man. Is it not just as discouraging for him to feel, as he must now, that, however hard he works, he may find himself drawing the same salary?-Certainly it does, and that is why I arge the grant of personal allowances, in order

to make things easier for him. 29083. I should have thought that the timescale would have been the less deadening in its effect on a man, because, he would feel that if he did his work properly he would be sure to get a reasonable increase of salary, whereas, otherwise it might be years before he got any increase at all?—I do not think there is very much difference between my personal allowances and the time-scale. The time-scale always seems to me rather an unnecessar; elaboration, and I would rather get back to the old cadre of grades as soon as possible, adopting the temporary expedient of personal allowances only when it is necessary.

29084. I notice that in the proposals which have been put forward by Mr. Mead, a time scale for junior officer is suggested. This is a timescale running ribgt away from Rs. 450 to Rs. 1,350?—Yes, I know of that.

29035. What would you say to a time-scale divided into compartments, by which you would begin at Rs. 450 and go automatically up to say, Rs. 600 or Rs. 700, and then when the officer had reached the Rs. 700 limit be would only pass into the next compartment by selection?—I do not think we want selection quite as low as that. I would not begin the selection before the grade of Collector. I think there ought to be an understanding that an officer, would not draw any higher pay unless his work had been satisfactory right throughout, but I do not think I would have any form of selection, as it makes it unneces-sarily elaborate.

29086. Would it not do sway with any deadening effect if you divided your scale into two halves, and said that when men had reached the top of one they should only go into the other by selection?—I think it would have a less deaden. ing effect unquestionably. There is really not very much difference between the time-scale and my suggestion of personal allowaness except that it avoids the elaboration when things get back to the normal again.

29087. You have said it is generally agreed that the grant of double first-class fares is an entirely inadequate compensation in the case of transfers. That is rather a vague piece of information and I should like to know what you would regard as adequate. Could you give us any definite figures?—If a man is moved, say from Ahmedabad to Poons, I would allow him an ordinary goods wagon for his kit, which would represent a charge of three or four amuse a mile, and a first-class fare for himself, and another firstclass fare to cover the cost of his establishment. The complaint is that it is limited merely to the passenger's fares, and does not cover the cost of

passengers and, moving kit.

20038. Do you suggest that a salary of a character should be attached to the five Assistant Collectorships which are now superior only in name?—I understand that proposals have been placed before the Secretary of State that they should carry a salary of Rs. 1,250, so that, that particular difficulty about five posts of Rs. 900 being 'listed 'as superior, will disappear.

29089. And would it be the same with regard to the posts of Superintendent of Land Records, Registrar of Co-operative Credit Societies, etc. ?-

29090. Would you like to see those definitely provided for ?--Yes.

23091. The present arrangement for their remuneration puts the cadre wrong, does it not ?-It does.

29092. Do you think there is room for an increase of the cadre on the Executive side?-I think at present out of my seven districts four have only one Assistant Collector which thirty years ago always had two, and it would be a very years ago arways man two, sun is would be a very nice thing to have more European Assistant Collectors. At the same time, they are expensive articles, and I am not sure whether we really ought to afford them.

2:1033. Do you consider that the officers who are now performing the duties are overburdened with work?-No.

29094. (Sir Murray Hammick.) With reference to your answer to the Chairman as regards the superior and inferior posts, has not the position in Bombay been somewhat aggravated by position in Bomosy been somewhat aggravated by the appointment of the man who ought to be holding a junior post to the past of Co-oparative Credit Societies' Managers?—He is a Junior Assistant Collector.

29095. That is an appointment which is included in the Junior Collectors among the superior

posts?-Yes-

2,096. And therefore the position as regards the promotion of the janiors is aggravated by taking a man from the ranks of the juniors and putting him into a superior post which carries no pay in his case except the small allowance he is given?—I am rather atraid to answer these questions, because I have not these things at my fingers' ends 29097. Who is Director of Agriculture in

Bombay ?-He is a Junior Collector, Mr. Keatinge. 29098. With reference to the Provincial Service, in your last answer you say, you have no further proposals to make. There are two suggestions which have been made to us as regards the Provincial Service. One is the question of the expense of transfers, which applies to them exactly as it applies to the Civil Service. You would as to appres to the Cryst Derrace. The Would advocate having the expense of transfers of Deputy Collectors and Subordinate Judges placed in the same scale as that which you would apply to civilians ?- Yes, so many maunds of kit

29099. Then there is a grievance in other Presidencies which, I suppose, applies to this Presidency also, that Deputy Collectors do not count as litst class officers for travelling? That is so, but some of them do. Those appointed direct under the Provincial Service Rules count as first-class officers. It is rather a serious injustice really that officers who have come from the bottom only count as second-class officers.
29100. You would like to see that altered?—

Yes, I would.

108, 1 Would.
29101. You would like to see all Deputy
Collectors treated as first-class officers under the
Civil Service Regulations?—I would.

20102. In your answer to question (25) you say, that you do not see why grade promotions should not be given in these vacancies, as they are in the case of the Indian Civil Service. I suppose from your answer, however, you probably do not 172

Mr. G. S. CURTIS.

Continued.

know why it was that grade promotions were given specially in the Civil Service?—I have seen it since.

20108. The objection to this course as regards
Deputy Collectors would be that the grant of
officiating promotion in this way involves a great
deal of trouble to the Account Department?—A tremendous los

19104. Would you still be prepared to say that a Deputy Collector for every promotion for a short time should get officiating allowance?-I would not if Government accepted my scheme for improving pay and prospects generally in the Provincial Service, which I consider at present are inadequate.

29105. In reply to question (16) you say: "Promotion to the first four grades of Deputy Collector and first and second grades of Mamlatdar is by selection." Is promotion from the grade of Mámlaidár to Deputy Collector made by selection? -Yes, except as regards the people appointed direct under the new Provincial Service rule.

29106. Are you in favour of the system you have in Bombay by which the Mamlatdar is a member of the Provincial Service ?- Yes.

29107. Do you think it is better than the system in Madras where the Tahsildar is one of the Sabordinate Service?—I prefer having him in the Provincial Service. He is very often a first-class Magistrate in Bombay.

29108. You say in answer to question (136) dealing with the Indian Civil Service, that you would recommend the formation of a separate Indian Family Fund for Indian members of the Indian Civil Service, and you do not think that they should be allowed to join the ordinary Indian Civil Service Pension Fund. Why do you make that distinction? Why do not you wish Indians to join the ordinary Indian Civil Service Pension Fund?—For one thing, we have no mortality tables. Then there is the question of succession and polygamy, and there are various other

29109. Supposing you made it a condition that an Indian might join the Indian Family Pension Fund provided he did not marry more than one wife, would that get rid of one objection?-It might be done after the passing of the Succession Act.

29110. But at present you would not recom-

mend it 2—No.
2011. In your answer to question (129) you say, you are inclined to recommend such an increase in the existing rate of contribution as will allow higher allowances being given, I articularly to sons, and that in the latter case, the allowance should be £150 a year from the age of 15 onwards. It has been suggested to us that the benefits of the son should be given until he reaches the age of 24, and that this should be made up by an additional contribution to the Fund calculated on an actuarial basis. Would you prefer that?— I would,

29112. You would like to see the sons arranged for by benefits from the Fund up to twenty-four and the money being paid for by an additional contribution?-Yes.

In your answer to question (124) you suggest that inefficient members of the Service should be compelled to retire. Would you be prepared to leave that entirely to the action of the Local Government or would you like to see it restricted in some way by making it an order of the Secretary of State?-I think the Local Government might be trusted to deal with it.

29114. It has been suggested to us in one or two places that the reputation of a man at the Secretariat is very often not a very accurate one, and to safeguard his interests it would be quite feasible that action should be taken against an inefficient officer by a Committee, who should first of all report upon him, and then the Local Government reporting the matter to the Secretary of State, and the Secretary of State issuing the order. That is put forward on the ground that it is a very serious matter to insist on a man retizing from the Service, and that the Local Government if it passes its order in the first place is more or less liable to prejudice, and that the Secretary of State would be very disinclined to interfere on appeal, whereas, if he had the initial order to make he would probably refer it to a perfectly independent body, and the men would be more likely to get justice?—I do not think there is any reason to fear that Government would be unduly harsh.

29115. You do not think there is any necessity to take those further precantions?—I do not

29116. In your answer to question (117) you suggest, that the contributions made now towards pension should be separated off and converted into a Provident Fund contribution. But, would you be willing to see a proportionate reduc-tion of the pension in that case?—No.

29117. I understand you emphasise the necessity for retaining the £1,000 a year pension at any cost !-Yes.

29118. And that sooner than see any reduction of the pension you would continue the contribution? -- Certainly.

29119. Then you say that the Government of India is making propositions as regards furlough. These proposals, I understand, are merely with regard to the quantity of furlough that can be taken and how it should be taken; they do not deal with the pay the officer can draw while on furlough?—No.

29120. Have you any suggestions to make with regard to the pay which an officer should draw when on forlough? It has been suggested to us that an officer might be allowed, if he had two years furlough due to him, to take a half or quarter of that furlough on a higher rate of pay, and sacrifice the rest of the furlough, instead of and shormer are very of the intringin, instead on taking the whole furlough on the usual rates?—It would be very pleasant, but I do not see how it would work. It would be very difficult to work. The Government of India sent that suggestion round in connection with their pro-

You do not think it could possibly

work ?—I do not think it would. 29122. Would you be inclined to allow officers to accumulate privilege leave for more than threemonths ?-No.

29123. You think that three months is the roper amount of leave that should be accumulated?-Yes. A man ought to be made to go onleave every three years.
29124. You would not make him go on leave-

every year ?-No; he has nowhere to go to.

Mr. G. S. Cuntis.

Scontinued.

20125. What are the difficulties as regards this question of allowing a man to take a proportionate amount of furiough at a higher rate ?— For one thing men would not take a large enough furiough. Probably a man might go for aix mentles, I will not say extravagually but spending his money for the first ix months, and instead of saxing his year would come back again, and there would be a great block in premotion, because the active rescores would be a great block in premotion, because the active rescores would be as of them by a half.

would be a great move in pronound, because the acting vacancies would be cut down by a half.
29126. Would you not do anything to decrease the amount of furlough a man ordinarily

takes now?—No.
29127. You do not think it is at all excessive?—No.

29128. As regards the pay of "listed" posts, you adhere to the present system under which the officer holding the listed post draws less pay than the Civilian. Do not you think that the way in which the efficer is regarded by the outside public depends very much upon the pay he draws?—It may to some extent.

20120. Do not you black that if you interduced listed man into the Serfees and absolubed the system of "listed" posts, giving the men a right to rise from the grade they are put into, and giving them the same pay as the Orlina, it would very much tend to place them in a higher position than now and that they would eventually be counted as one of the Civil Service — You mean the Deputy Oelectors appointed by direct

counted as one of the Cavil Service (—You mean the Deputy Collectors appointed by direct nomination under the near rules?

2010. I man the Deputy Collectors who service is come in and hold the "listed" posts eventually t—I would be impossible in our system. The "listed" posts are merely added to the Previousle Service earler, and you would have to split up the earler.

29131. You would have to re-arrange your cadre?— Then I have no objection.

29132. If you are going to admit Indians to further appointments, one way suggested to us in taking men who have guined experience in the Provincial Service and placing them in the GVH Service, so that they should have the right to rise to the higher appointments in the Service, so that they should have the right to rise to the higher appointments in the Service. That would necessitate complete recognisation of the present cader, but, if that were done, and these men were given the full pay of the appointments; do not you think that after her had been in the Service for a few years thay would atten causally the same position as regards the outside public as if they had entered through the competition in Engiand?—No, I do not think so.

23133. De not you think it would be forgotten that they entered the Service in a way different from an Indian who had passed through the open competition at Homa 7—I do not think so. It would never be forgotten that they gained entrance by a back door.

29134. In Furma, for instance, there is a Commission into which mee come from all classes —I think there would be very considerable esprit de corps and the Service would be instructionally ran, but a fath sear time, the man who had been through the open door in England would have the Imparia feeling behind him; he would be, sole say, the "heaven-born," as kipling eaps, and that would skive to him. At the same time, I think the Service would work perfectly

harmoniously and that the relations might be friendly in that way.

20135. The existing stagnation of promotion in your Service, I understand, arises simply and solely from the had arrangement of your superior posts. That is to say, that your superior posts are not sufficient to give promotion to those officers who are holding junior posts?—We want something corresponding to the Sub-Collector of Madrias.

28186. That has arisen a great deal from the fact that your Judicial officers take over Additional Assistand Judgeships, which has interfeed very much with your eadre in a way that the cadre is not interfeed within other Presidencies; but that so rely can be arranged by the Secretary of State now!—I wenture to think that way proposals would make very considerable improvement.

29137. There is no reason to suppose that this stagnation cannot be set right by the Government of India and the Secretary of State in the ordinary way?—That is my point.

ordinary way?—That is my point.

29138 Without a time-scale, if necessary?—
I would rather not have a time-scale for that

reason. 20139. You say in answer to question (87), that you consider the compulsory retirement of inefficient officers should be resorted to far more extensively than has hibberto bean the case. But sarely, you are contemplating very few cases in which officers have been compalsorily retired?—That is so.

20140. Your answer rather implies that in this Presidency a great many officers would have to be retired because you speak of it being far more extensively used ?—I am thinking more of the past, when certain officers stayed on when

they were not weated.
20141. The number of those cases is surely very
few?—Ten or twelve years ago they would be
somewhat numerous.

29.142. You say in answer to question (62), that the officers of the Civil Service in Bennhay are proferent at least in one remanchs, most of them in two, and some in three or more, and you say, that the Bombay system of specific seven mention a year in computes them. A specific seven mention a year mountain in camp, what month does the officer generally go into camp?—In October, and sometimes at the end of September.

20143. And he is supposed not to come back to head-quarters, except for Caristmas, until when?—Until May.

29144. In Bombay, have you an officer at the head of each sub-division of a district?—Yes.

£9145. Are all those officers in camp for seven months?—Yes

291.6. Does that result in the head-quarters of the districts and the head-quarters of each spin of the districts and the head-quarters of each spin-division being without a First-Class Magistrate for even meathef—We have no bend-quarters of the sub-divisions. If you take the average sub-division of the thickes, there would be one Manist-div with first-dates powers and often avoiday two, and the Assistant Collector would only have magistarial charge of one thinks.

nagosciai dange o.

23137. Dese the Huadr Deputy Collector go
into cuny i—No, he remains as a Magietinto in
head quarters. In most of the large places you
get Government officers also doing honorary firstclass magisterial work.
2314S. In the outside sub-division the Mambat-

29148. In the outside sub-division the Mamlatdar stays at head-quarters and does first-class magisterial work? - Yes. He is supposed to

travel ten days a month.

29149. Is that in order to get rid of the inconvenience of clients and others not finding a magistrate at head-quarters when the officers are touring?—Yes. In one or two cases where the tálukas are heavy there are resident magistrates, but I have not got any in my division. They do nothing but magisterial work.

29150. It is the same system that we have in Madras?—Yes. 29151. Are they First Class Magistrates?—I

think not.

20152. They have powers of committal, and that sufficiently gets rid of the difficulty of not

having Magistrates at head-quarters ?-Yes. 29153. Do the Collectors who travel about for seven months do any magisterial work when travelling ?-Yes.

They deal with cases that come up to 29154. them ?-Yes

29155. But, if it is a case, that should be tried at head-quarters they would hand it over to the Mamlatdar or the Huzur Deputy Collector?-

29156. With regard to your reduction of the age, do you think it would be possible to work a system under which Indians would be allowed to go up for the same examination as Europeans at Home but at a year of higher age, in order to get over the difficulty, real or not, that an Indian would have a much less chance of passing the examination at 17 to 19 than a European? Would it be possible to allow "Natives from India" to go up at 20 to an examination at which Europeans were only allowed to go up at 19, all to sit at the same examination, and all bracketed in the same list? - I think it will be undesirable. If we are going in for that it will be better to split up the cadre and have separate examinations.

29757. Your idea of reducing the age will be met with tremendous opposition in this country, because it will be said to be done simply to kee the Indians from getting in. You do not think it would operate now as it did twenty-five years

ago?-No

29158. We have had plenty of evidence to show that it would be an extraordinarily unpopular measure out here. One idea suggested is that we should allow Natives to go up one year older than the English bey, on the ground that he has to study his work in a foreign language from the very first?—I think it would be preferable to have separate examinations straight away in that case

29159. (Sir Valentine Chirol.) You said just now in answer to Sir Murray Hammick that you thought that in no case, even if the pay and prospects were assimilated, would the members of the Provincial Service appointed to "listed" posts, even if, they became actually members of the Civil Service, have the same position as those who entered through the London door?—They would

29160. Do you think that could be met by sending officers from the Provincial Service, before they passed into the Civil Service, through the listed posts, to England for a year's study ?-It is so hard to guarantee that they would be fit to pass when they had done their probation in England. A man might waste his whole time

29181. I am talking about the official who has been selected from the Provincial Service after

a certain number of years for promotion into a listed post, that listed post being absolutely a post in the cadre of the Indian Civil Service. If he were then sent for a year to England to get closer to English methods and English habits of thought, do not you think that stay of a year in England would help him to acquire, with his own people out here, the prestige which you say can only be acquired by going originally to England and passing the competitive examination ?- I think it would be an enormous help to him, but I do not see how it is to give him the prestige of having passed the

examination in England 29162. On the other hand, do not you think that a man who has done a certain number of years' actual work in the Provincial Service, and discharged his duties in such a creditable way as to justify his promotion, offers better guarantees of turning out an efficient member of the Civil Service than any youngster merely passing a competitive examination either in London or anywhere else?---Very frequently he may. I am merely dealing with popular estimation. In this country, where success in examinations is a fetich, I do not see how you are going to get over the fact that one man has passed and one man has not. I do not say the Provincial Civil Service man will not be as good an officer.

29168. The mere fact of his having passed an examination gives him the prestige which you speak of?—Exactly.

29164. With regard to your proposal that the pension of £1,000 should be retained and the four per cent. reduction turned into a Provident Fund I understand that you wish the pension of £1,000 a year to be a real pension?—Exactly.

29165. Do you think that many candidates going up for the Indian Civil Service realise that the pension of £1,000 a year which is held out to them is a pension to which they would have contributed from 30 to 60 per cent. ?—No, I do not think they do.

29166. Therefore, when you say that the consion of £1,000 at the end of twenty-five years is one of the great attractions of the Service, it is to that extent rather a fictitious attraction ?-Yes.

23107. We have heard a great many state-ments to the effect that within the last twenty-five years the office work, of District Officers especially, has increased so largely as to make it much more difficult for them to devote as much time as they formerly did to getting into contact with the people of the district they administer. Is that your experience?—The Collector's work has increased, but I do not think the ordinary Assistant or Deputy Collector's work has increased very largely. There has been substantial relief in various directions.

29168. It is chiefly the Collector's work?

Yes; that has increased very largely.
20189. Can you tell us to what the increase is due?—To these things like town-planning, plague regulations, improvements in sanitation, water-supply, etc. There is much more money to spend with all the Imperial grantsin aid of local bodies. Then, there is the suggestion of the objects for which the money should be spent and the control of these things, which all means work for the Collector. It means very marked progress, but it

also means work. 29170. We have also heard that within the same period of twenty-five years the Collector has

Continued.

been deprived of a good deal of the initiative and his sense of responsibility has been diminished by the growing influence of the Secretariat?—I see

no sign of that here.
29171. You do not think there is any serious divergence between the officer who spends most of his time in the mufassal and the Civilian who spends a good many of his years in the Secretariat ?-

29172. You lay great stress upon the difficul-ties presented in the matter of simultaneous examinations by the difference of time between London and India. Is that your chief objection to simultaneous examination?—No, it is one-that

has been suggested to me. 29173. It is one upon which no stress has yet been laid by witnesses !- I think a "crammer" in London would naturally take advantage of it. 29174. In what way ?- He would get the

papers wired to him. 29175. Do you think that would be possible?—

Certainly. 29176 (Mr. Madge.) In answer to question (2) you say, you consider that the men arrive here too old and that, although probably intellectually superior to the candidates recruited under the old arrangeto the candidate recruired mater do not arrange-ment, they are not sufficiently adaptable or receptive of new ideas; and you practically give the same answer to question (16) when you say: "What the older men gain by a more mature what the order her gain by a hor hashes intellect perhaps the younger men make up by a greater command of detail and knowledge of this country." Do not you think that the formation of character is an essential element of success in any career of life, especially that of an Indian Civilian?—Certainly. It is a question of the balance of advantages on one side and the other.

29177. Do not you think that character is better formed under conditions prevailing at Home than those prevailing in this country?—Certainly, but the Civilian who does not get to work until thenty-seven has to retire, by the order of nature, at 58, and he tends to be a very expensive article.

29178. You are balancing the expense against the other risk?—And other advantages. I am

taking the balance of advantages.

29179. Did I understand you to say in answer to the Chairman that Indian boys of fifteen could be readily got to go Home?—Yes. I think so nowadays in Bombay.

29180. You are not aware of an opinion that ems to prevail elsewhere, that there is a strong feeling that by sending Indians away carly they nearing max by seating important sense from their get alienated in a very important sense from their own people, and that they come back very much less sympathetic with their own class tran before they went away ?—I have seen it stated several times, but I do not believe it. The danger seems to be much the same either way.

29181. Supposing, a system of simultaneous examinations were adopted in this country, do you think, considering the way in which education has been shaped rather towards passing examinations than to giving a liberal education, simultaneous examinations would re-act unfavourably on education generally in this country ?-I do.

29182. You say in answer to quesion (9) that everyone agrees there should be only one corps d'elite and only one way of getting into it. That is one competitive examination ?—Yes.

29183. But has it not been reasonably thought that the competitive examination gives a very

imperfect test of character ?- It is imperfect, but it is the best we have.

29184. Even as regards the Englishmen, for instance, it may be assumed that the average Englishman possesses certain qualities that fit him for the Service, whereas other candidates may not be assumed to possess those qualities ?—I have urged nomination in the case of Indian candidates,

29185. As regards nomination, you want to give them scholarships at the expense of the public treasury ?-Only a certain number for the people of the backward classes, who should be

encouraged.

29186. But a certain number of them would be failures?—They might be. I should put them in the Provincial Service I think.

29187. Do you think that would be a fair loss to incur?—I think so.

29188. On the chance of getting good men?-

Yes, it is a very small amount. 29189. With regard to privilege leave, it is believed that newsdays Civilians go away from the country more frequently than they did before, especially when privilege leave is tacked on to furlough. Do you think that people do get away

from the country more frequently than their predecessors?—I do not think they do. Twenty ears ago, a man would have three months and take his furlough in the following year, but now he combines the two and there is only one period of absence.
29190. You think that advantage is not taken

of the privilege leave on full pay? -Officers only take one period of absence instead of two

29191. As regards inefficient officers, do you think the proportion of them is worth consider-ing? —I think the proportion is extremely small, but there were cases in which it would have been desirable to have had the power of removing inefficient officers from the Service.

29192. Considering, that the proportion is extremely small, do you not think it wiser to ignore it than to create an impression that a man's tenure of office is not secure?-I think in practically every Service in the world there is the power of removing an inefficient officer, and I think we ought to have the power. We have the power new to remove him, but we could only do it by inflicting ruin upon him. There may be many cases in which it is not desirable to take that

extreme step.
29193. Is there may type of inelliciency that
arises rather from the character of the heavy work of the district and which might be remedied by transferring a man from the heavier to a less heav charge ?-I think there are cases which would not

be covered by that measure.

29194. With reference to the general rise in prices all over the country, do you not think the time has come for a proportionate increase in the pay of all classes of Civilians?-No, I should prefer to give concessions in other ways. I do not think we could legitimately ask for a rise of pay all round, although it would be very pleasant. I think various concessions might be given which would make the subsistence of officers generally much more comfortable, but, beyond what I have recommended, I do not think a general rise of pay could be held to be justified.

29195. We have been told that, whatever the ease may be as regards districts, in large towns the cost of living is so much greater that some measure should be resorted to at once; will a personal

\*6th March 1913.]

allowance or house allowance do that ?—I think I have urged house allowances, sumptuary allowances, reduction of expense of transfer, and things of that sort. There are various concessions which

could be given.

20190. Have you many or any members of the domiciled Anglo-Indians in the Indian Service?— I think there are two in this Presidency and four in Sind, six altogether.

29197. Is their work of the same standard of efficiency as that of the other members of the

Service?—I have only personal experience of two or three, and I can say 'yes' to that.

29198. (Mr. Fisher.) I notice you say, that the young Gwilian who comes out now is perhaps a little apt to Le inattentive to the detailed routine. Is there a lack of thoroughness in the essentials of his work?—No. I do not think he learns the detail of the routine in the way that younger men did, but that may be prejudice. We were recruited at the younger age and we naturally look at things from our own point of view. That is a thing that has to be made clear right away

29199. I have not heard of that complaint with regard to University candidates who are recruited for the Home Civil Service, and I was wondering whether perhaps there was more detail thrown upon the young Indian Civilian than there is upon the Home Civilian ?—I expect there is. There is much more outdoor work. I think my complaint has been repeated by the Government of India in a despatch of 1907.

29200. You say that in your time the best men were not attracted from the public schools to the LCS. Examination at the age of 19; you say, it may be taken as fairly certain that if the age were reduced once more the exam-mation would attract the very best of the public schools. I am not quite certain on what grounds you say that?—I do not think the Service was known twenty-five years ago, generally speaking. 29201. But, is it not also true that the Home

Civil Service has become very much more attractive?-There are many more appointments

and it is more attractive.

29202. Do not you think there is a certain danger that if the examination were put back to 19 school-masters would put pressure on the ablest boys to reserve themselves for the Home Civil Boys to reserve memberee for the Home Cam Service 2—I do not think so, especially, if you give a good scholarship at Oxford at £200 a year. I think then the parents' pressure would be the other way.
29208. You think that your scheme would be

assisted by the specialisation that is going on in the public schools ?—Yes.

29204. That specialisation, I suppose, is con-fined only to the very hig schools which have a very large staff?—I venture to say it is common in most public schools, from enquiries I have

29205. I think you will find that the smaller schools will have a good deal of difficulty in providing the special course that would be required for the Civil Service Examination 2—I want to draw from the large public schools; they are the men I want to get.

29 206. You do not think there is a risk that if men came out at the sarlier age they would make mistakes in judgment which would be somewhat serious —That is a personal question which I ought not to answer. I think we all make mistakes,

but I hope they were not unduly serious or very much worse than those made now.

Continued.

29207. That, of course, is one of the reasons for making a change. It was felt that people coming out at a maturer age would be more immune from mistakes?—I am putting them s year later

than we were. tank we were.

20208. Turning to your answers on the
Provincial Service, I notice that you prefer
recruitment by nomination as the only method by
which an admixture of caste can be secured.
Would you know any insupershile objection to
recruiting for the upper division of the Executive

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The provincial pro Branch of the Provincial Service by competitive examination?—We tried it in two Presidencies

and it did not answer, and it was given up. 29209. What was the reason of the failure? There were a majority of Brahmans, but I do not

know whether that was the reason, 29210. It was more difficult to secure the balance of the classes ?- Yes, Certain classes like the Musselmans were ruled out altogether. I am speaking of Bombay, and I think they were mainly Brahmans in Madras.

29211. But supposing, there was selection before examination?—The objections are just the same and would be equally strong if there were

selection.

29212. Macdonald.) In (Mr. reply question (32) of the Provincial Service section you say, that officers of the Provincial Service takes such leave of full pay as may be due to them, and that when they do not it is generally due to their devotion to duty?—I think I put it on the ground of the devotion to duty, but of course, there are various causes.

29213. They do not refrain from taking leave because they are airaid of having their districts

nectace toey are acrau of naving their districts changed?—I do not think so. 29214. In answer to another question you say, that the leave does not lead to numerous changes of districts?-Not in the Provincial Service.

29215. We have had some evidence on that point from other Provinces, but you would say after due consideration that that is not the case in

Bombay?—It is not. 29216. You have no men refusing to take leave because they are afraid they may be moved from the district where they are?-There may be isolated cases, but it is not the rule. If a man took leave from Poons he would probably come

back to Poona.

29217. In answer to question (29) of the Indian Civil Service section you say: "I am inclined to recommend such an increase of the existing representative contribution as will allow of higher allowances being given particularly to sons." Have you in your mind a compulsory contribution?—Yes, ours is all compulsory.

29218. Would you make this special proposal compulsory?—Right through.

29219. You would not be content with giving an officer an option to make the increased contribu-tions?—No; if you give options you have actuarial trouble at once. These are all worked

out by an actuary overy year.
29220. You just want to lump the whole
thing?—Yes. It would not be a large increase,

and it is worth doing.

29221. In reply to question (124) you favour the view that after 15 years service a man may be allowed to retire with a pension?—Yes,

fcontinued.

29222. Is it not a very reasonable view that when a man comes into the Indian Civil Service he has to remain in until a proper period clapses when you may say he has given the full service to the State in return for the various probation fees he has had and the various privileges that have gone to train him? Do you think that in 15 years he has given that adequate return?—I think he has. I held the view you have been urging myself for a considerable time, but I have come to the conclusion now that there is really nothing to be gained by keeping a man on after 15 years if he wants to go. I make the pension only a subsistence one, practically, only a pittance. only a subsistence one, practiceary, only a presence. An Indian very often has a call to religion at 40; an Englishman might have the same, a call to mission work or anything, and I would let him go.

29223. I am very doubtful in my own mind as to whether at the end of 15 years he has given

that return ?-I think he has.

29224. In bringing him in the State has had to spend money on his training ?- In the present state of the Bombay promotion the State has spent very little on him. Men of my year were receiving Rs. 900 a month, or £650 a year, at fourteen years' service. Men of that standing are receiving less now.

292:5. There is a matter which seems to require a little explanation owing to some apparent discrepancy. In answer to question (10) you say : "I consider that admission to the Civil Service of India should be only open to candidates selected by nomination in that country." That of course is with reference to Indian candidates?—Yes.

is wing reservince to intowat causanases [-128, 29226]. In answer to question (88) you say: "I see no reason for any change in the existing arrangements." Do you mean to apply that to the Judiciary only [-198, I was thinking particularly of the difference between Bombay and In Bombay, once a Judge always a Madras. Judge; he has been through his Judicial training

29227. With reference to selecting by nomination, your proposal I take, it is to select by nomination at the age of 18 or 14?—14.

29228. Is not 14 a little late for public

schools?-No, 14 is about right I think. 29229. Have you ever tried to get a boy in at

14?-I have a boy's name down for 14 now. 29230. Do you think you are going to get him in ?—Yes.

29231. In sitting down to think it out as though you were a member of this selecting board, what would you select on from a body of intelligent youths at the age of 14?-I should select them on their knowledge of English, their ancestry, their manners, their antecedents and up-bringing, and engenies, generally. It is very like the Naval Examination.

29232. Not their educational qualifications?-

Yes, I should bring them in.

29233. What sort of educational qualification could a boy of 14 present to you to justify you in car marking him for an important post like this?-He could write a very good English essay and English letter, and would know a good deal of English Grammar, and possibly do a sum in quadratics and Algebra

29284. There is not very much indication in that of the boy's future is there?—I think it is as good as anything else you are likely to get.

29236. At 14 an examination like that is very much less definite as an indication of what a boy is going to develop into?-You must not misgoing to develop into:—100 must not mis-understand me. I do not limit it to boys who are selected at 14. They are only those who are selected by nomination. There is also another system of nomination, merely, as regards loyalty and antecedents and things of that sort for the general candidate who goes home at the age of 17 or 18. There are two sorts, one for the 14 years old boy for the scholarship, and the other for the man who goes direct.
29236. You would not nominate him too?

There is no test of his loyalty or antecedents at present except the certificate of birth that I give

revery day.

29237. You refer to him in your answer to question (3)? - Yes. There ought to be some sort of test such as the Inns of Courts imposes on a candidate for admission to the Bar, that he is known and that he comes from respectable stock generally.

29238. Are you aware of the test at the Inns of Court?—No.

29239. It is purely a paper test?—I should make it a severe one.

29240. You refer to "loyalty" and "sedition" in your answer to question (3). They are exceed-

ingly difficult things to define, are they not ?-Yes. 29241. If one allows them to sink into one's mind, are they not very apt to mislead one ?- I hope not.

29242. Supposing, you and I had been on the Selection Board three years ago, would we not have been so much tempted to regard every member of the Arya Samaj as "seditious"? - No, I have no

feeling as regards the Arva Samai at all-29243. I only take that as an illustration of the current controversies, at the time, and I refer to it for the purpose of indicating to you that when you begin to take these questions of "loyalty" and "sedition" into your mind you get a flux and flow of waves which are exceedingly misleading, and which if they were allowed to sway the mind of judges would do certain lads very grave injustice?-I do not think there would be any reasonable risk of injustice. There might be some, but I do not think so.

20244. It is a very difficult thing to define what "loyalty" or what "solition" is? - It is. 20245. You also agree that many lads coming

from the most loyal households have shown themselves to be most disloyal and most seditious?-

29246. You would also agree that many lads coming out of an apparently seditions atmosphere make very good citizens?—I have not seen them.

29247. With regard to the question of pay, you said in reply to Mr. Madge, that you are not in favour of a kind of rule of thumb addition !- [ do not consider it is within the pale of practical polities. No doubt we should all like it.

29218. Would you take the view that it would not be a fair way of dealing with the question that the inconveniences and the injustice press with varying degrees along the grade, one degree being heavier than another?—Certainly.

29249. And that we must attend to the degrees where the pressure is great ?-Yes.

29259. Could you help us by indicating where ou think the pressure is greatest?—With men of 12 years' service here.

29251. And even within that range would you agree that the pressure is greater at some parts than at others? For instance, you get your man just newly out at Rs. 400 a month and he has man pass newly one as no. woo a monacon is now got to spend a good deal of capital on equipment. Would one of your suggestions be that instead of that man having to spend capital on his equipment. the Government ought to give him a grant ?-I think he might have an outlit allowance as the High Court Judge does, but I should raise his pay to start with.

You are in favour of an oatht allow-29252.

авее ?- Yев.

29253. Now he gets what may be called an outiff loan which he has to repay, and you think part of that loan should be an allowance?—Certainly.

29254. Then the next stage is his pay: you associate yourself with this Memorandum that has been put in so far as the fact that the pay should be increased ?-Yes.

29255. May I ask whether you agree that the initial pay should be Rs 450?—I want it Rs 500 if the present age is retained.

29256. But if a reduction is age takes place you think Rs. 450 would be enough?—Yes.

29257. Do you think Rs. 400 would spough? - Yes, with the carlier age. I think there is a fair case for Rs. 450. I do not think the cas is anything like so strong as the case for Rs. 500 is now.

29258. Now, coming to the upper section, up to 12 years' service, you think that we should give an increased pay there?—Yes.

29259. You are distinctined to agree to a

time-scale?-I am.

29260. You think that if these little decimal points were properly attended to we could get a much better system of guiding ?- I simply want to get a change made in the eadre. We have get on without a time-scale so far somehow, and I think we could, in future, if the cadre is only changed on the lines I indicate.

29261. Has it not been the experience of every Province that, with the greatest care possible, blocks take place?-Yes, but then I would give a temporary personal allowance such as was given here in 1888 when I came out,

29262. If you go upon the line of giving a temperary personal allowance, that means that you have to raise the question every time that somebody alleges there is a block?-Yes, 29263. Do you agree that you cannot success

fully raise that question unless the block is fairly severe ?-Yes.

29264. You could not raise it successfully it the injustice was done to one man only ?-No. 29265. Is that quite fair? If we are going

to do justice to the Service should not we do justice to everybody in it?-There is a very strong case for a time-scale, but I do not like it

29260. But, if the time-scale was confined to the lower Service, where a man's mind was fresh and the prospects of a big open field were in front of him, do you think it would take so much away from his initiative and energy?—I think the harm would be much less.

29267. After 12 years would you suggest very much change in pay ?— I wast another grade of Collectors.

of Communications of the Second Secon

29270. Do they propose here an extra grade of Collectors or do they only propose an increased scale of pay?-When I last saw the thing it was an extra grade.

29271. Generally, you associate yourself with

the Memorandum, do you not ?-Yes.

29272. With regard to pensions, I take it that on no account do you want to reduce the pension below £1,000 for a man who has served his full time ?-That is so.

29278. In reply to Sir Valentine Chirol you said, that men coming out did not seem to be aware that they had to pay four per cent, of their calaries. Is not that their own fault ?-No.

29274. Is it not properly advertised?-I do not think we received any notice of it at all. I

had no idea of it-

29275. It was not due to your own carelessness?-No. I thought it was £1,000 a year clear from the State.

29276. So far as you can remember, it was owing to the carelessness of the Government? I do not blame the Government very much. My position rather is that it is admitted that expenses have risen and this might be a convenient way of giving us something.

29277. You want your £1,000 given to you as a non-contributory pension by the Govern-

ment?-Yes

29278. You would not object to being compelled to pay your four per cent, so far as to create a bonus accumulation which you would receive an retiring?—No, I should like it.

29279. And which would be regarded as your ersonal property so that if you died it would be anded over to your widow or to your heirs?-

Yes, it would be a very good thing.

29280. If the alterations were made which we have generally sketched out do you think the reputation of the Service would be substantially enhanced ?-I think it would,

29281. Do you think it would lead to a better type of men sitting for the examination?-I think it would keep up the attractions of the Service which at present are inclined to diminish

29282. With respect to the question Mr. Fisher put to you about headmasters encouraging their better boys to go in for the Home Service, you would give the reply you gave to him with far more confidence if these alterations were made?--Certainly

29283. (Mr. My.) I should like you to explain more clearly your proposals for the further employment of Indians. I understand you are repared to recommend, or at least to accept, that Indians should be employed in the Civil Service up to a maximum of one-sixth?—Yes, I am prepared to consider that as an alternative proposal. My main position is that we might certainly wait and see whether this seven a year is likely to

29284. Does that one-sixth refer only to Indian members in the Indian Civil Service, or do you also include it in the present listed posts?-I would pool the listed posts again.

29285. I understand that you want this onesixth so far as possible to be recruited by open competition in England?-Yes.

29286. And that you are prepared to encourage this system of recruitment by the grant of certain

sens system of recumentary of the grant of concern echolerables 2—Yes, to backward classes. 20287. Failing the one-sixth succeeding in Bogland under that scheme, what is your

alternative method of recruitment in India?-You

must have another examination here.

29288. A separate examination in India?—Yes.

with the older age.

29289. Do you recommend one examination for the whole of India, or do you propose separate examinations for each Province or main group of Provinces?—It would be preferable to have them for each Province, but it would depend on the number of vacancies, and probably it would be worth while having one for every separate Province. It would be better however to have one for the whole of India.

20290. If there was a separate examination in India what is your reply to the argument that you yourself have partly used, that admission by a separate door will not carry with it the same prestige and the same position as admission by the open door in England?—We cannot help it. It is the same in the political department: men who come in from the Army have the prestige.

29291. Do you lay stress upon the argument that admission by a separate examination in India would as a matter of fact brand such members with a hadge of inferiority? -I do not think the brand is really very serious. For instance, the statutory civilians were generally received on fairly equal terms with the Indian Civil Service, and were always treated with the same honour, but they had not the prestige; they were not men of the Indian Civil Service but they were received on more or less the same footing as the men who had been through the proper examination in England.

29292. Was any loss of prestige that the statutory civilian suffered due to the method of recruitment, or was it due to the estimate of their work, that they were in some case perhaps not so efficient as members recruited by open competition?—I always found the statutory civilian, when he was good, made himself as

respected as anyone else.

And was received on absolutely equal 29293. And was received on absolutely equal terms?—Not absolutely. There was always the feeling which you cannot get over; you cannot give him the same prestige he would have from the examination.

29294. Take your own Province, you had a

separate Sind Commission?-Yes.

29295. Was there any feeling of inferiority in regard to members of the Sind Commission who were recruited by a different method from that of the Indian Civil Service?-I have never served in Sind.

29296. I believe you have had experience of the Bombay Political Service in which there are

two methods of recruitment?-Yes.

29297. Was there any difference of treatment in the officers recruited by these two different methods in the Political Service?-No, there was

no difference. 20208. In that Service I believe all the

members are Buropean, are they not?—All.
29299. Do you think that if some of them
had been Indians the difference of race would have accontuated any feeling on that point?-I do not think so.

29300. With regard to your proposed period of three years' probation, coupled with the lowering of the age for the examination, I understand that you wish the probationers to go through a full course for an Honours Degree in Law at the University ?-I do.

29801. And, in addition, to have a very small amount of specialised Indian training ?-Yes.

29302. It has been suggested to us that the main object of the probation should not be to induce the probationer to go through a course of Law for an Honours Degree or become a Barrister, but, that he should have a full course in Indian subjects with the object of turning him out Indian Expert, for instance, a knowledge of Indian Law, of Indian Ingenges, of Indian Sociology, of Indian Bithoology, and particularly, a knowledge of an Indian classical languages so that, he might fully appreciate the classical culture of India; that the probationer's course should be framed on those lines and not simply for the purpose of giving him an Honours Course in Law or a Barrister's Degree. What would be your opinion on that alternative proposal for the three years' probation?—I wasted an immense amount of time at Oxford on the Indian vernaculars, which I could have done in three months out here. believe the old course made a man a smatterer. I have felt all through my service a want of knowledge of Law, although, I am an Executive officer pure and simple.

29303. You spent a two years' course of probation?-Yes. I think it is better to give a man a thorough grounding in Law generally. You can give him special papers in the Indian Codes, in the same way as the University authorities give special papers to students from the Cape in Roman-Dutch Law. 29304. You still think Law of more import-

ance than any other specialised Indian subjects? -very much. I would simply tack on Hindustani

as the one vertacular.

293:15. Now let us take the probation on the assumption that the present age limits are to be retained. In that case would you recommend the abolition of the year's probation in England altogether in order to bring out the condidates a year younger? -- I would.

29308. In that case it would be necessary to combine in India the one year's period of probation with the practical training?-My proposal then would be to prolong the practical training, have sketched out a course of reading in the Courts

in the Presidency town, and so forth

29307. Do you think it would be possible under those conditions to arrange a combined course of probation and training in India, under which, for a certain period, the officers should have the ordinary training in the district, and for another part of the year, or for a separate year, should have special instruction in Law and lauguages at some suitable centre?-There would be no difficulty: it is done now in Bombay, at the present moment, where the young civilian has special instruction in Agriculture, Survey, and so forth.

Would there beany difficulty in giving 29308. him special instruction in Law and languages?-

MN6 stail.

29309. There is one point in regard to your proposal for a system of personal allowances on which I should like your opinion. It appears to me that, under your scheme of personal allowances, Government, as the employer, would suffer by having to grant personal allowances in cases of blocks, whereas, it would have no opportunity of making any retention in cases of extremely rapid promotion?—True.

180

[continued.

29810. But so far as the Government is con-cerned your plan would be "Heads I win, tails-you lose"?—That is true, but the amount is really very small and not worth thinking of.

29311. I think you have already said that vour objection to a time-scale for Assistants is not very strong ?-No, I do not like time-scales genemlly; I have always had a prejudice against them; but I may say there is a stronger case for them now than before, and a stronger case than there

is ever likely to be.
29312. Would not some of your objections also be met if proper conditions were imposed under a time-scale to secure that officers should not receive promotion under that time-scale unless there were certain guarantees of efficiency in their Service ?—I think that could be laid down. 29313. If you admit a time-scale for Assistant

Collectors, what is the strong objection to the abolition of the grades of Collectors in favour of a time-scale for Collectors alone, that instead of a time-scale for Collectors among that instend of having Collectors graded as you have at present by three grades, Rs. 1,800 to Rs. 2,500, Collectors are put on a separate finan-scale on a salary of Rs. 1,800 rising to Rs. 2,500 r. I cannot see any objection if you can get over the initial distilks to the original idea. I have a prejudice against all time-scales, but I do not know why. Legically if we start, I think we combit to an vicinity through

ought to go right through.
29314. You have not suggested any addition to the cadre of the Indian Civil Service in this

province?—No. 29315. Is it not a fact that Bombay already is the most highly-staffed Province in India?-It is. 29316. Do you consider there should be any reduction in the Bomhay cadre?—No, not at present. We are short of Assistants as it is owing to special appointments of various sorts. There are a large number of special appointments round

Bombay City and there are peculiar conditions in Bombay altogether. 29317. You have deprecated the proposal that Indians should be allowed to join the Indian Family Pension Fund and you have based that objection on differences in social conditions. If these differ-ences can be actuarially estimated and the contribution of the Indian regulated in order to provide the benefits necessary for him under his social con-ditions, would there be any objection to allowing them to join the Rund?—I think it would be almost impossible to calculate it actuarially, from, enquiries I have made. I understand that if the Marriage Act and the Succession Act get through the thing could be worked.

29818. But if it could be actuarially calculated,

is there any objection to Indians being allowed to join ?—No, provided these social difficulties can

be got over; but I understand they are very serious.
29319. In regard to the Provincial Service
I should like you to explain to us why Mamlatdars were included in the Provincial Service, a position that does not exist in any other Province of India?—I think the idea at the bottom was to man the control of the contro place then on the same forting as Subordinate Judges and out of deference to their Magisterial position, and also to assimilate them as far as possible. There has always been a good deal of friction between the Subordinate Judges and the Maniatakies with small tell in the subordinate of the subordinate subordinate of the subordinate subordinate of the subordinate subordinate of the subordinate subor Mamlatdars with regard to their position.

29320. Your Lower Grade Subordinate Judge corresponds to the Munsif in the other Provinces of India?—Yes.

29321. If there had been an alteration of the title of certain of the lower grades of Subordinate Judges to Munsifs, would there have been any strong reason for including Mamlatdars in the Executive Service?—No. I think perhaps it was a tribute to increased efficiency and the increased difficulties of the position.

29322. How has that combination worked?-I think it has worked very well.

29328, Have certain practical difficulties occurred in consequence of the combination of Mamlatdars and the Provincial Service?—No. There have been one or two small troubles, but they will be removed. It makes some difference from the decentralising point of view, but not very serious.

29324. Has it affected projudicially the reemitment of the upper division of the Provincial Service?—No, we have very few posts there and we have hundreds of applicants. One is being advertised now.

29325. For your upper Provincial Service at the present time you recruit, on the average, directly only about one candidate a year? On the other hand, you recruit from your Mamlatidar Service an average of perhaps 8 or 10 a year?—It may be; I do not know the figures exactly; I thought it was four.

29326. So that, any man who wishes to enter the Upper Division of your Provincial Service has to start practically on an initial salary of about Rs. 50 a month?—Yes, he is put in as a proba-tioner and it is merely a subsistence allowance whilst learning his work.
29327. What does be become next?—An

Aval Karkun on a salary of Rs. 60 to Rs. 100,

29328. Do you consider that a method of re-craitment so low down in the scale secures as efficient and as good Deputy Collectors as would be secured if you had a larger direct recruitment to the Upper Division?—We have only had these new Rules in force for two years so that we cannot tell. So far the material is good. In my own division, it was necessary really to get a mixture of castes, otherwise the Brahmanical caste in my division would have swamped the whole thing.

29829. With regard to your proposals for the retirement of inefficient officers, if, as you suggest, the power was given to Local Government to retire them, do not you think there is a substantial danger that this would cause a sense of insecurity in the Service which would react to some extent upon recruitment?—I do not think so. At any rate the man does not go away empty-handed; he goes away with a living wage—bread and butter anyhow.

29880. Is there any strong objection to the roposal that an officer who is declared by a Local Government to be inefficient or is charged with being inefficient should have that charge investi-gated by a Jury of three senior officers of his own Service?—I think it is prejudicial to discipline, Government should be the deciding authority in all these matters.

29331. In regard to the Indian Civil Service. you have suggested that for inefficient officers the retiring pension should be the same as that given for retirement on Medical grounds ?-I think I

29882. Not in your answer to question (124)?

You are quite right. 29383. When you deal with the Provincial Service you suggest that they should have only

Continued.

two-thirds?-I meant it should be only two-thirds

for both. 29334. You have also given an opinion opposing any reduction in the amount of forlough due to officers. If the statistics prove, which the statistics given us in Bomlay do, that officers only take 66 per cent, of the furlough at present admissible under the Rules, what strong objection is there to reducing the amount of furlough, especially if by that means you can secure better allowances during furlough?—I think it is a wrong way of doing it. It would be much better to raise furlough allowances all round. It is going to impose a heavy charge on the State. Supposing a man is out here for twenty-five years, he is drawing high pay practically for the whole of that time, and he will be on furlough for two years instead of five, and there must be a considerable increase in the total cost to the State.

29335. If we find that the amount of furlough taken at present is only about two-thirds of that admissible under the rules, and that a substantial portion of it is taken by a man at the end of his Service when he has really made up his mind to retire, what objection can there be to striking off a certain amount of that furlough?-I think it might run the risk of causing a block in promotion. I thought the matter out the other day but I have forgotten what conclusion I came

29336. There is one minor point on which I think there has been a certain amount of misapprehension with regard to the practice in Bombay. You have referred to a period of seven months' camping. Does that refer only to Assistant camping. Collectors ?-Yes.

29337. The Collector as a matter of fact does not do seven months' camping ? - The Collector is bound to do four, but he does about five months,

as a matter of fact.

29338. (Mr. Chasbal.) With regard to your answer to question (88), what is your main objection to the differentiation of the duties of the Executive and Judicial functions?—There are a

great many. Expense is one. 29339. Do you mean that there will be a larger Judicial body required?—Yes.

29340. Do not you think that any possible expense on that account can be defrayed from the profit that the State makes from Court-less?— No, unless you mean that these resident magistrates are to encourage litigation in order to pay

for themselves. 29341. I am not considering the resident Magistrates; I am considering the proposal that has been made to us by some witnesses that the magisterial powers of Executive officers, excepting the preventive powers under the Criminal Pro-cedure Code, should be transferred to Judges, and that Civil and Criminal Justice should be administered by the present body of Subordinate Judges, and that they should be put, as they are so far as Civil justice goes, under the District and Sessions Judges. If that scheme is accepted it will cast more in the way of strengthening the present Subordinate Judicial Service?—Yes.

29842. That expense can certainly be defrayed from the profit the State at present makes from Court fees?—I imagine that the profit from Court fees goes into the Provincial Exchequer.

29848. Wherever it goes that is a matter for arrangement, but if this profit is made from the Department for the administration of justice, and

if the interests of the administration of justice require it, I suppose that Fund is capable of being utilised for that purpose?-I do not admit that the interest of the administration requires it.

29344. I gathered that from your answer, but supposing it is in the interest of justice, then the objection to expense would disappear if there is this fund, which can be so utilised?—But there is

not this fund. 29845. You mean there is no profit from the administration ?-There is the ordinary Revenue,

but it is not a fund car-marked for justice as far as I understand. 29346. The source of it is the administration

of justice, is it not ?-Yes. 29347. The amount which is put down as profit from that department proceeds from the administration of justice. Court fees are raid by litigants in order that they may get justice. But

at any rate one of your items is expense? - Yes, 29348. What other objection? - They are not wanted ; you do not want more officials, as the present men do the work very well. It is no use putting up a second man to do work that one man already does well. There is no complaint against the Mamlatdar Magistrate.

29349, In every Province every unofficial witness who has been questioned on the point advocates and recommends the separation?-It has

been advocated for twenty-five years.

29350. If the public feel that the combination does not answer well, is not that entitled to some weight against the official opinion that the present Magistracy does well? You cannot say there is no complaint, because we cannot ignore the large body of unofficial evidence which does desire this change, and if there is anything at the bottom of that desire, it cannot be said, there is no complaint put forward?—It is a matter of policy.

29351. What training do your magisterial officers have in Criminal Law?—They pass through

their departmental examination.

29852. Beyond the Law that they get for their departmental examination, have they ever studied any Griminal jurisprudence or any Criminal Low as such ?-No.

29353. The body of Subordinate Judges I am speaking of are a body of persons who have received regular training in Law, Criminal as well as Civil?-Certainly.

29354. The Collector of Bombay has no criminal powers, has he?—No.

29355. In the Presidency the Magisterial and Executive functions have always been separated. have they not?-I do not think so, not in the

early years of the century. 29356. But, for a very large number of years

now ?-Yes. 29357. Have there been any complaints on account of the Collector of Bombuy not having any Criminal powers ?- I know nothing about Bombay

City, but, so far as I know, there have not. 29358. There, at any rate, you have an in-tance where the separation has been effected without causing any serious dislocation of the administra-tion?—I cannot argue about Bombay. I understand the Commissioner of Police has peculiar lowers, powers which belong to the District

Magistrate up-country. 2935). I should like to have your cambid Trans. I should me to have your energing opinion about a feeling which the public have. Take these special offences under the Abkari and Forest Acts. The Bar and the public feel that the 182

Subordinate Magistracy do not act quite independently in cases coming under those special Acts?—I have seen it stated.

29860. Would you attach any importance to that complaint coming from the public ?—No.

29361. Therefore in your opinion a feeling on the part of the public that they are not getting justice is not to be noticed?—I should ask you to define "public" first of all.

29362. I define the public as those persons to whom you have to administer justice and who are not Executive officers themselves ?-I imagine that persons aggrieved by the action of magistrates have a right to appeal, and there is an elaborate chain of appeals that exist in no other country in the world, and they can bring any injustice forward.

But if the public feel that, is it not an 29863. item to be taken into consideration?-I should have to ask, first of all, whether there are any facts to justify the public feeling it. I have not heard of any appeals in the High Court on any

matters connected with the Forest Acts. 20364. Assuming, that the public feel that they are not getting proper justice in these cases, is not that an element to be taken into consideration ?- Certainly not. If the feeling is unjustified

by facts I should not take it into consideration. 29365. Therefore, the belief of the public that justice is not properly administered, although perfect justice may in fact be administered, is of no importance?—I am not prepared to answer that. If the public feeling is there it must rest on

something.
29366. I am asking you to assume that it is the public feeling. If it is, would you disregard it?—I do not admit, in the first place, that there

is such a thing as public feeling. 29867. I quite admit that you are of opinion that the public are perfectly satisfied, with the sort of justice they are getting, but I am now asking you to assume for a moment that there does exist you to meanine or a mountain team owner care care can on the part of the public a feeling that they do not get proper justice in the class of cases I have described. If there is that feeling then my question is only whether you would regard it or disregard it?—I should endeavour to ascertain whether it was justified by facts, and if it were not justified by facts I should certainly disregard There are very few cases under the Abkari Act and Forest Act and they can be all examined in

29368. May I know whether your ground for definitely stating that the Magistracy is absolutely accurate in those cases is simply because there are no appeals ?—I have not committed myself to any statement that they are absolutely accurate. I suppose they are as fallible as other mortals, but I have had no eases brought to my notice in which there has been any serious failure of justice in the last three years.

29369, I thought you said a few minutes back that you have not heard of any serious appeals?—I have not.

29370. Is it because there are no appeals that you think that the evil does not exist?—Yes.

20571. But, appeals are not possible in all cared, are they?—Practically, they are always possible. No District Magistante will throw out an appeal. An officer goes through all the papers and sees if there is a failure of justice.

20372. The High: Court would, perhaps, see a hundred more reversals if you gave the High

Court the power to go into the facts?-There has heen always one appeal before it gets to the High Court, even on revision.

29373. In those cases in which the High Court has only got revisional powers you cannot say that the High Court can go into facts ?—I cannot generalise what the High Court does. I can only take the facts that have come to my notice, and I have not seen a single case of misuse of powers in Abkari or Forest cases in the three years that I

have been in charge of my division. 29374. If the members of the Bar have occasionally instances of this kind to which they can speak from their own experience, would you admit that there was some basis for it?-If they have cases it is their duty to bring them up to the Appellate Court. If they have not done so they have not done their duty to the profession.

29375. If they say there is that complaint, would you say it was untrue?-These are all

assumptions and I am not prepared to answer.

29376. I want to sek you now a few questions about your answer to question (3) and your answers to cognate questions (6), (10) and (12). I gather that you do not advocate a change unless it is necessary?—No.

29377. It seems from those answers that you do advocate a change so far as the open competitive examination in England is concerned for the Indians ?-You mean the certificate of loyal stock.

and that sort of thing? 29378. I mean what you say in your answers te questions (3), (6), (10), and (12)?-To that extent I do.

You think that it is not suited to the Indians although it is suited to the Europeans?-I do not think I say that anywhere. I say an Indian should not be allowed to appear at the open examination before reasonable care has been taken

29380. The present system of open competi-tion is suited to the Europeans and is not suited to the Indians; is not that so ?-Yes, broadly.

29381. That is your position?—Examination tempered by nomination, or nomination tempered by examination.

29382. So far as the Indians go, the present system of open competition in England you believe is not suited for the admission of Indians into the Civil Service ?-I think my original main position was that I wanted to leave the examination as it was, subject to this, that I allowed no Indian to go up until his loyalty had been vouched for by certificates obtained in this country.

29383. Am I reading your answers (3), (6), (10) and (12) correctly when I say they mean that the door of the open compenition is suited to Europeans but it is not suited, for admission of Indians into

the Civil Service?—No, I do not think so. 29884. (Cheirman,) The point Mr. Chaubal wishes to get from you is that in the case of Indians in India you would require nomination in addition to examination, whereas for Englishmen you advotate open examination?-That is

29385. (Mr. Chaubel.) My question is that the answers, so far as I can make them out mean, that the present open door, whilst suited for Europeans; is not suited for Indians. Is that in effect what you meen?—I will go as far as this, if you like, I say I do not advocate absolutely unrestricted admission to the open examination in England of Indians without definite guarantees from India as to their respectability, etc.

continued.

29386. That is the drift of your answer to

question (3) ?-Yes. 29387. Do you suggest that on account of any mischief or evil that you find at present in the cadre?—That is a personal question, I think, I had

better not answer. 29388. It is not a personal question but one arising directly out of your answer?—I do not desire to answer that.
29389. You say: "If regard is had to mere

ability to pass examinations the youth who comes of a high and loyal family and one who has passed his life in an atmosphere of sodition stand on the same level," and also: "Political conditions being what they are, some form of nomination which will prevent candidates of one caste or one section of caste securing an undue proportion of the appointments and will ensure as far as possible that they come of good and lawful stock is absolutely necessary." Am I to take it that those remainder do not apply to the present Indian material that we have got through the English door?—I decline

20390. I take it from your answers to those questions and similar questions in the Provincial Service that you do not like a majority from any one class, although it be more largely an intellectual elass, to go into the Service?-No.

29391. On what does your objection rest?-The desirability of the general admixture of castes, Every class in the community should have its share

in the Government.

29392. Supposing, you had a Service manned entirely by Brahmans, if they worked efficiently, what would be the objection to that?—I think it when wome ne was objection to that?—I think it is undesimble that one class should monopolise that position and power. It is not a very good thing for the class for one thing.

29393. Is not this at the bottom of it, that we find class bias and sectional favouritism an evil which we try to remedy by the employment of different members of different communities?

Certainly. 29394. It is in respect of that that my question arises. Can you divide or do away with this class bias or sectional favouritism by taking men from different sections and communities?—We hope to do away with it in that way and by the effect of We hope that with educaeducation generally. tion it will disappear.

29395. Supposing, you had at present in the office a majority of Brahmaus and you introduced two other communities, Parsees or Muhammadans, the natural result would be that class bias would divide itself into three different directions ?- Yes.

29396. It is not that you find the other communities immune from class hias ?—No.

29397. With regard to your system of nomination and selection, was not the old statutory Service worked by a system of nomination?

Am I night in supposing that the Yes. object of the last Public Service Commission in having these inferior posts listed, the nine Assistant Collectors, was in order that it should form a recruiting ground for the two headships of the district?—You are not right.

What was the object ?-There was no 29399. object, that I know of, if you read the report. 29400. But when the nine posts of Assistant

Collectors were recommended to be transferred to the Provincial Service, was the object simply to swell out the Provincial Service?—There was no

object as regards their forming the training ground for Collector.

20101. Were not they intended as posts to which the Members of the Provincial Service could aspire as something higher if they showed themselves fit?-Not necessarily.

29402. Do you think it was only a curtail-

ment of the Civil Service cadre ?-Yes.

29403. That there were nine unnecessary Assistant Collectors and three unnecessary Assistant Judgeships? - No, I do not think you could put it that way. I think it was a concession to the aspirations of Indians that these additional posts were placed at their disposal.

29404. I am not speaking of the two Judge shins and the two Collectorships?-They are all on the same footing; I can give you the reference

in the recort.

29405. The Assistant Judgeships have remained as Assistant Judgeships, have they not ?-There are three District Judgeships and three Assistant Judgeships.

29406. I am now referring only to the lower osts: the three As istant Judgeships which were posts: use unree As-istant Judgesungs which were left open to the Provincial Service are still Assist-ant Judgeships, are they not?—There are three District Judgeships and three Assistant Judgeships, just as there are two Collectorships and nine Assistant Collectorships.

29407. I am speaking of the three Assistant Judgeships which were Assistant Judgeships in the Indian Civil Service cadre and are Assistant Jedgeshins now?-I do not know much about Judicial work.

294 8. They are called Assistant Judges at present?-I do not know anything about them.

29499. In your Executive branch they are not called Assistant Collectors?—That is true,

29410. When a man is recruited direct to the Provincial Service he first gets into a grade of Rs. 300 ?-Yes.

29411. And when he once has got there, there is no distinction observed as regards those parsons recruited in any other way and these direct recruitrecruited in any time way and have the recruited in the service?—Yes.

29412. The old Executive Provincial Service

consisted entirely of Deputy Collectors ?-Yes

When the service was constituted the 20418. Judicial Department began with Rs. 150 while the Executive Provincial Service began with Rs. 300 ?- Yes.

29414. And it is only because you have now put your Mamlatdars into the Provincial Service that the lower grade of the Subordinate Judgeship corresponds with Mamlatder?-It happens to be so, but whether it is cause and effect is another question.

29415. The coincidence destroys the constant demand made for mising the status of the Sub-ordinate Judicial Service as it was before the amalgamation?-I do not know much about judicial matters really.

29416. (Sir Theodore Morison.) With regard to pay, in your auswer to question (91) there are two things that in Bombay are put before us. First of all there is the desirability of a general rise on his there is the distinction of a general rise in the pay of the Civil Service, which has been represented to us in all the different Provinces, and then special considerations in the case of Bombay owing to the rise of prices ?- I am simply

trying to make out our case as strongly as I can. 29417. Do you think that with a rise in pay such as is advecated in almost every Province you would fairly meet the claims of the Bombay Civilians, or do you think in addition to the rise Crymans, or the dearness of living in Bombay? The case was brought before us very stringly in Burma where brought betwee very settings in bothing where they proposed a definite Barma allowances?—We have a Sind allowance. What I have urged with regard to Bombay is liberality, and for special localities there might be allowances, a sumptuary allowance, for instance, in places such as Ahmedabad where there is much entertaining to be done.

29418. This is not based upon the dearness of living generally throughout Bombay?—It is always rather hard to differentiate one Province from another as regards the whole scale of salary, and to get over that particular difficulty I have unged that Bombay should participate in any general rise that might be going and that the proposals I put forward should be sanctioned and House Rent allowances and other allowances

given to meet special circumstances 29419. But you do not think it is important that the Presidency should have what Burma claims, a specific Bombay Presidency allowance?— No. I would not say that.

29420. With regard to this special sumptuary allowance, has the cost of entertaining in these places gone up very much?—I think it has gone up a good deal. The general prices of provisions

have gone up enormously. 2942: Have you any objection to specifying the places?—No; I refer to Bombay in particular but it is right throughout the Presidency. Prices

ntte is right chough and are enormous everywhere.

28422. Would you say where you would ask for sumptuary allowances?—Rájkote, Karáchi, Bombay, Abmedahad, Poona and possibly Belgaum.

29423. Who are the class of people who have to be entertained in those places?—The class now

is much larger than it used to be.

29424. In Bombsy and Karáchi I suppose there is a very large unofficial European popu-lation?—Yes.

29425. And they are a great tax?—I cannot speak of Bombay and Karáchi as I have not been Bombay since 1897, and I have no experience of Karachi at all.

29426. Have you been to places where there is a large unofficial European population?—No. I served four or five years in Madras, and I was three years in Bombay between 1894.—7, but of late years I have not been.

29427. Has the cost of entertaining risen in other places of which you have had personal experience owing to the change in the social habits experience owing to one entings in one sound manus-of the Indians? Not only that, but general, rise of prices, the dearness of hiring generally, 23428. How does that affect the cost of

entertaining in an up-country station, where it is not very heavy?—In Poons it is very heavy, but Poons is not an ordinary mufassal station. I am

Poons is not an outland, only speaking of the special places, 29429. To what class of persons would you attach the sumptionry allowance? Generally the Commissioner, the Political Agent at Rajkote, and the Collectors in some places. I would not give it to the Collector of Poona at present.

29430. On what class of officer do you think the obligation of entertaining falls most heavily ?-The Commissioner.

29431. Would you recognise anything below that ?-Possibly people who have political duties, for instance, the Agent for the Sardars might be

considered 29432. Has be political duties ?--Yes.

29433. Has he to entertain ?-Yes, quite substantially. 29434. Do you think there has been an in-

crease in what we may call the unreasonable demands of hospitality upon public officers?—No. 29435. We hear that the unofficial class have

become somewhat exacting in certain places?-We have had no experience of that in Poons. 29436. You think that such claims as are

made it is wise politically to satisfy?—Certainly.

29437. (Lord Ronaldshap.) How many districts are there in your Division?—Seven.

29438. Do you think that any of those dis-

29450. Do you cannot make any or caree on tricks are too large for effective supervision by one man?—No; there was one, but it was split.

29489. Do you think that in Bombay President

dency there is no necessity to carry that policy further and sub-divide any of the districts?—I do not think so. With the recent re-distribution in Sind I think they are all down to reasonable

29440. Have you any Additional Magistrates in any of your Bombay Districts, a man appointed to take all the magisterial work off the shoulders of the Collector ?—No. In Poona the Collector has a Personal Assistant, who does a good deal of odd, magisterial work in the way of special enquiries.

That is all. 29441. That is not the same thing as they

bave in Madras and Bengal ?-No.

29442. You have honorary Magistrates in Bombay?—Yes, a good many. In Poons there are four Benches and three first class honorary Magis-

that the sitting.

29443. Do they do a considerable amount of work?—In Poons they do a good deal. There you work ?-- In rooms usey so a good seat. Insers you can get a retired official who is willing to work, but in some places you cannot get this material.

29444. From whom are the honorary Magis-

trates usually recruited?-When they sit individually they are generally retired Government officers, but the Benches are generally big land-owners, the same class as the J. P. in England.

29445. With regard to the recruitment of Indians to the higher service, you think that any Indian so recruited except through the competitive examination in England would be regarded as in rather an inferior class?—He cannot have the cachet.

29446. There are different ways in which you might recruit Indians to the higher services; you might recruit them by means of a separate examination in this country, or by promotion from the ranks of the Provincial Service. Would a man who entered the superior service by means of a separate examination in this country have any advantage in the matter of prestige over the man who was promoted from the ranks of the Provincial Service?—I think he would. Examination in this country is a tremendous cochet. There is an elaborate graduation of examinations in the public mind.

29447. In your opinion, is a scholastic exami-nation the best test of the capacity of an Indian

Mr. G. S. CURTIS.

Continued.

for administrative work ?- No, I do not think it is a good test of anybody, but it is the only one which we have, unless you go right back to nomination.

29448. You do not think it would be such a good test as a certain number of years' service in

the Provincial Service ?- No.

29449. So that the probability is that if it were decided to have a separate system of recruitment to the higher service in this country you would get a more efficient and satisfactory recruit if you promoted a picked man from the Provincial Service than if you merely had a separate examination out here?-I think if you go in for a competitive examination pure and simple, you will get a better man in the main promoted from the ranks. We look at university degrees and college professor's reports and so forth as regards intellectual attainments.

29450. I am referring to recruitment from the Provincial Service to the higher service. You of course in your official capacity have had large opportunities of seeing the work of the Provincial Service ?-Yes.

29451. Do you think it would be possible to pick a Provincial Service man at a fairly young age with a view to promoting him to the Commission of the Province ?-Yes.

29452. There would be no great difficulty in doing that ?-No.

29453. You do not think to do that would create discontent in the ranks of the Provincial Service generally?—I do not think so; it is practically being done now.

29454. You told Mr. Chaubal that appeals in Forest and Ahkari cases were very rare. To whom does an appeal lie?—To the Collector sitting as District Magistrate, or to the Sub-divisional Magistrate, provided he has appellate powers.

29455. Would an appeal of that kind involve the defendant in any expenditure ?-No.

29456. Is there an appeal beyond the Collector ?- No, only a revision after that.

29457. You say the Government of India have recently circulated proposals for altering the have recently circulate proposas for aftering the leave system and you say that these proposals have received the approval of nearly everyone in this Praidency. Could you tell use briefly what are the main changes which the Government of India proposa in the present leave rules "—That leave rules are the proposal proposal proposal proposal leave rules to the proposal proposal proposal proposal proposal leave rules to the proposal p spared on the regimental system.

29458. Does that mean that an officer is to have a leave ledger and is to be able to take his leave whenever he wants it, however short his service, provided that it is convenient to the Local Government ?-Yes, and the fixed limit of eighteen months between periods of leave is to disappear and the convenience of the administration is to be the consideration.

That proposal has the approval of the 29459. That proposa service?— Very strongly.

29460. (Mr. Heaton.) What is your opinion of a suggestion that has been made, that an Assistant Collecter should undergo a part of his an Assistant Collecter should eneergo a part of its training by bing placed in sale charge of some outning Tshaks, anay from the headquartens, as Manhaidar for a period of say one year?—I think a year is rather long but for a short period it would be a very good idea.

After what period of service is an Assistant Collector usually placed in charge of a sub-division? - About one year.

29462. And a Magisterial Officer?-He gets first class powers in about two years and probably

Appellate powers between three and four years, 29463. If you turn to the paper that represents the suggestions of the service, the last item speaks of the possible reduction of passage money on the P. & O.; that need not be limited to the P. & O., as there are many other com-panies?—Yes, there is the Austrian-Lloyd, the Messageric, Ellermans, the Anchor Line, and so on, and it might be possible to enter into arrangements with them.

29464. And you think that would be a fair thing for the Government to do?—I think it might possibly, but I do not urge it very much; I am

not particularly keen on it.

29465. With regard to Court-fees, I understand, that what was passing in your mind was this, that to increase the number of Subordinate Judges sufficiently to enable them to do the magisterial work would mean a very considerable increase in expenditure ?- Yes.

29466. But, it would not mean any increase in Court fees receipts?—None. Unless the Court

fostered litigation.

29467. Magisterial work does not bring in much in the way of Court fees?—No. 29468. So that you would have increased cost

while the revenue remained the same ?- Exactly, 29469. So that there would be actually an increase in cost?—Very large. All the Subordinate Judges, in my opinion, are very much over-worked and you will have to have additional

29470. Is it not a fact that personal allowances never come into operation until the block is fully

declared ? - That is true. 29471. That is to say, until the evil is there?-Yes.

29472. But, a time-scale would not as a preventive ?-That is perfectly true,

29473. Have you looked into question (72) which describes the principle on which the service is recruited and the division into superior and inferior posts ?-Yes, I have been into all those figures.

29474. Do you think that the condition of affairs in Bombay is very largely due to the fact that they have not recruited really on the basis of superior posts but have recruited on the basis of the total number of posts?—That is so.

That has produced a much larger 29475. number of men who can at one time only hold inferior posts, and that delays promotion very seriously?—Yes.

29476. It has been suggested that certain appointments really ought to be superior which are now classed as inferior; so that you might possibly non cases as micros, so shar you might possibly set matters right by having a proper allocation of superior posts?—That is what I have been contending for as against the time-scale.

29477. The Judicial Department claim that men who are hearing Civil appeals and who are trying important Sessions cases are holders of ant erior posts in reality whatever they might be called in fact ?- I have heard that argued.

29478. With reference to examinations, under the present system of combining the Indian Civil 6th March 1918.1

Service with the Home Civil Service and the Colonial, I suppose many men pass in who cannot be said to regard India as a chosen career?-Exactly.

29479. They take the examination because it offers itself?—Yes.

29480. Do you think there would be any adventage in separating the examination for the Indian Civil Service, so that only those would compete who had really faced the idea of an Indian career and chosen it?—It you are to keep the present age I think the examinations must remain joint. I think, perhaps, we gain more than we lose.

29481. With reference to the distribution of Indians in separate colleges, do you think that an Indian who was by himself or one of two at a college, would have a better or a worse chance of entering into intimate association with his fellows at the college?—I should say he would have a much better chance from what I have seen.

29482. You said that throughout your service you felt the disadvantage of not having had a training in Law. Could you tell us very briefly why that is a disadvantage ?- I have often found a difficulty in following arguments and judgments and that sort of thing, and it would have been extremely useful. Of late years, I have been a considerable time on Land Record work in which a knowledge of Law would have been most useful. I think if I had been thoroughly grounded in Law, I would have grasped various positions very much more easily.

29483. It has been said that every Indian Civilian has to be a lawyer whether he wishes to be or not. Do you think there is any truth in

concluded.

be of note. Do you cannot be a lawyer.

19484. With reference to Hazoor Deputy
Collectors who are resident Magistrates, do not you think there is some disadvantage in combining the duties of a Treasury Officer with the duties of a Magistarte?—Yes, there is occasionally in the case of officers who have been pure accountants, throughout their service. When the Hazor Deputy Collector is an old District Deputy Collector, I do not think it matters very much,

29485. I was thinking of a more everyday floulty. Do not the interruptions to the magisdifficulty. terial work amount to something very considerable?-I do not think they need if the arrangement is properly made. His account work ought to be over by 3 or 2-30 o'clock.

29486. You would have him do his account work at certain stated times and not mix up the two kinds of work ?- That is so.

29487. In reply to question (24) of the Provincial Civil Service questions you give a proposed scale for Deputy Collectors ?—Yes, it is not a very good one. Even now, I could not do it any better. The number of posts in the first three grades are very small.

29488. That means, inevitably, slowness of promotion and hope deferred?-Yes.

29489. (Mr. Joglekar.) Why have you restricted the increase of expenditure to Rs. 20,000 ?-You can work out as much more, as you like, provided the money is forthcoming.

(The witness withdrew.)

BHICKAJI RAGEUNATH MEHENDALE, Esq., Subordinate Judge,

Written answers relating to the Indian Civil Service. 29490 (7). What is your opinion regarding a system of simultaneous examination in India

system of Simultaneous examinations and in England, open in both cases to all natural-born subjects of His Majesty?—The following answer is made only with a desire to express a particular view. My opinion is in favour of a system of a simultaneous examination in India and England open in both cases to all natural-born subjects of His Majesty subject to the following restrictions:—(i) Those who have successfully come out of the test should pass a period of probation from one to two years in England where they may have the benefit of a first-hand English education by remaining in the midst of the English society. (ii) A maximum proportion should be fixed, for the time being, of the number of recruitments which could be made out of those who have appeared for the competitive test in India. This will, it for the competitive test in India. is hoped, lead to the following results: (i) The Indian official, it will be difficult to deny, will, by reason of having long ceased to belong to the governing race and of a decidedly inferior general culture, often show a certain lack of personal courage, general breadth of view, sense of responsibility, decision, method, and a willingness to take the initiative. There is nothing to show, however, that given the opportunities and a superior education which is congenial to the development of these qualities, the Indian officer will not gradually unfold these qualities. In all probability, the Indian official will after some experience prove no unequal of his European brother, although he may have passed the com-petitive test in India only. (ii) The preponder-ance of the English element in the Administration is now and for all the time to which we can foresee indispensable. And the fixing of a maximum of the Indian element will not only check unusual preponderance of any particular class of the Indian community in the Indian Civil Service, but will ensure English methods of administration, as both safe-guarding that character of the Administration and as an educative influence upon the other officers in the art of government.

## Written answers relating to the Provincial Civil Service.

29491 (1). Please refer to Government of India Resolution No. 1048—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?-The conditions are generally suitable. Condition The conditions are generally suitable. Condition No. vii in paragraph 3 of the Government resolution referred to in the question lays down that seniority alone should not give a claim to appointments to the grade of Hs. 500 a month and higher grades. If would be desirable to mention, affirmatively, though not in a hard

continued.

and fast way, what would give claim to such

appointment. 29492 (2). Please supply a copy of the Rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendation to make for their alteration?—(The reply refers to the Judicial branch only so far as the appointment of Sub-Judges is concerned.) The rules should be altered so as to have the following effects:— (i) The recruitment should be directly from among the practising pleaders, except as men-tioned below (v). (ii) To ensure securing good candidates, the certificate about full and continuous practice should be more specific. (iii) To prevent disappointment, after long waiting, it should be notified at the beginning of each year that such and such men-the number being determined according to the probable number of vacancies-from among those who have qualified by the necessary examination just three years ago have been selected for appointments as Sub-Judges. After such selecapproximates as oncountings. After such selec-tion the list of these who have passed the qualified test during such year should be treated as closed. (iv) A candidate once selected should not have occasion to revert. A certain number of posts should be added to the cadre, with a view to providing for men in the stage of probation (v) Except in so far as it would be indispensable to have men with a high legal training, whom it would not be possible to attract to service otherwise than by a prespect of being ultimately appointed as Sub-Judges for posts which now go by the name of qualifying posts and which remove the bar of age restriction, such posts should not be treated as qualifying posts and should not be allowed to have the effect of removing the bar of age restriction.

29493 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—(The reply refers to the Judicial required — (the repry reters to the amenda branch only.) The information in the statement referred to is not correct in the following particulars:—(i) It does not include the posts of District and Sessions Judges and Assistant Judges, which are described as listed posts. (ii) It does not include the posts of the Pro-vincial Small Causes Court Judges, (iii) The number of posts on Rs. 500 is not 8 as shown therein but 10. (iv) The number of posts on Rs. 300 is not 22 as shown therein but 23. (v) The number of posts on Rs. 200 is not 36

as shown therein but 35. 23494 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—(The reply has reference only to the Judicial branch.) It appears that till some time after the passing of the Bombay Civil Courts Act XIV of 1669, the High Court had a hand in the nomination of the Sub-Judges. In 1873 or thereabouts an arrangement was arrived at between the High Dourt and the Government, under which fresh appointments as Sub-Judges were made by Government, as also appointments to the Government, as also appointments to the grade of Rs. 500 and upwards. The recruitments have

been made, in accordance with section 22 of the said Act, from among Bachelors of Law and persons who had passed a test introduced by the High Court in 1868 or so. Practically, the same system of recruitment has been in vogue even after the introduction of the "Provincial Service" so called in 1892-93, in pursuance of the recommendations of the Public Service Commision in 1886-87.

29495 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satis-factory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomina tion and examination, or (d) some other method? Please describe fully the system that you recommend?—(The reply refers to the Judicial branch
of the Service.) What the method of recruitment of the Service.) was before 1869 does not appear clearly. the result of such recruitment was not found to be satisfactory. This led to the method of recruitment referred to in answer to question (4). Such method has on the whole been found to be satisfactory. I would recommend for direct recruitment the system of combined nomination and examination (required as a qualification under section 22 of the Bombay Civil Courts Act) as now prevailing with the alterations suggested above in answer to question (2).

29496 (5). Please state the number of naturalborn subjects of His Majesty other than "Natives of India" recruited in your province in each year?—(The reply refers to the Judicial branch.) There are none.

29497 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited ?— (The reply refers to the Judicial branch.) There are only two men in a cadre of over 100. They are both from South Kanara District which at one time, with Northern Kanara District, formed part of the Madras Presidency. The recruitment should, of course, ordinarily come from only the residents of the province. But this need not come in the way of an oceasional recruitment, from the sister provinces. especially from bordering districts, the residents of which have more than fleeting interests in the province to which the appointment is to be

29498 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(The reply refers only to the Judicial branch of the Service.) Judging merely numerically, without reference to education or qualifi-cation, it cannot be said that all classes and communities are duly represented in the Pro-vincial Service. There is, however, no reason to suppose that the number of appointments, which any particular class or community holds, does not any particular class or community holds, does not bear a fair proportion to the educated in that class or community. It is certainly destable that the representation should be fair even numerically. The only arrangement that can be suggested is by way of encouragement of learning among the backward classes and communities. Any other arrangement. munities. Any other arrangement, a.g., by

644 March 1913.] Mr. BHICKAJI RAGHUNATH MEHENDALE.

Continued.

seiting apart a certain number of places for certain classes or communities, would be far from desirable, as it is likely to lead to the sacrifice of intrinsic merit, in favour of mere sectional interests, in a branch of Service, the essantial condition of which should be a highly trained intelligence, coupled with great industry in working out a wast and technical system of Law. It would, moreover, have the undesirable effect of accentuating and crystallising those differences which we are, none too soon, learning to bridge over.

29499 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recom mend ?-- (The answer refers only to the Judicial branch.) There is a period of probation, extending in all over 2 years, after which period, the officer, if his service is approved, is confirmed in the lowest grade of the Subordinate Judges. There is no system of training. Sometimes it is some years, after entering into service, that a Subordinate Judge comes into touch with the administrative routine of a Court, c. g., when he is, as he often is, appointed Joint Sub-Judge. The result is that he comes in charge of a Court when he has no knowledge whatever about the administrative machinery. This is certainly unsatisfactory. I would suggest that dertainy unseessateles, a would suggest that after a man is once selected in the manner-mentioned in answer to question (ii) he should be attached for the period of about one year to a District Court under the direction of a District Judge for learning from cases coming up in appeal and otherwise, judicial and admi nistrative work, such as would fit him up to take charge of a Court. That done, he should have probation for one year by appointment to acting vacancies and otherwise. After completing a period of two years, as now, he should be confirmed,

23500 (10). Is the existing system of departmental examination suitable, and, if not, what changes do you recommend 1-(The reply refers only to the Judicial branch.) There is no departmental examination which the Subordinate Judiciary have to undergo.

28001 (11). Do you consider that my change should be made in the classes of offices and appointenents at present included in your Provincial Givil Service?—(The reply refers only to the Judicial branch). I do not consider that my change should be made in the classes of offices and appointments at present included in the Provincial Service, provided such inclusion is not made the basis of treating the Sub-Judges as on a level with members in the lower division of the Skreenive branch.

29502 (12). What is the system on which the strength of the Issuer branch of your Provincial Gvill Service is fixed? D you consider it satisfactory, and, if not, what alterations do you exceeding —7-the strength of the Judicial Portection of Purpley, has been fixed generally on the best of the which where the work is light the same officer holds the best of the What of the work is light the same officer holds for court at more than one place. In a particular area where the work is rather too heavy for one incumbent, there is a permonent Joint Surface. Thus the number of Sub-

Judges singly holding their Courts in one place is The number of Sub-Judges holding their Courts at more then one place is 12. The number of Sub-Judges who are assisting Sub-Judges holding charge of permaent Courts is 9. I would recommend an addition of about 10 to the cader for providing for affers who are to receive training as mentioned in answer to question (9).

29503 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve in the

Judicial branch of this Service.

29504 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training in the Judicial branch of Service.

29505 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—No rate of annual recruitment has been fixed in this branch of the Judicial Service. It is regulated by the number of vacancies occurring during the particular year.

29506 (16). To what extent is any system of selection for appointments to the higher grades enforced? I sary change of practice required in this respect F—(The reply to this question roters to the Judicial branch of the Service). The selection to the expointment of First Class. Stab-Judges in mace by the High Court. And such selection is invariably acted on by the Government. There has been no example of selection to the higher grade, by the Government, contaid the Satorchinate Judiciary. Such selection by Government would generally be not desirable as resulting in prejudice to the Securitive Government. There are the selection by a consequence of the selection of the selection of men, of whose work the High Court, have noticed. Such selection would be commented to the selection of men, of whose work the High Court in have no idea. Such selection would, moreover, appear to be an unecessary concessing of the control of the

necessary to depart from the existing practice. 29507 (17). Are you satisfied that under the existing system of promotion the interests of existing system individual officers and of the Administration are individual officers and have you any suggestions. only recomment and never you may suggestions to make regarding it, particularly on the sub-jects of selection for higher appointments and of the compulsory retirement of inefficient officers? - (The reply refers to the Judicial branch of Service only.) It is true that under the existing system of promotion the interests of the individual officers and of the Administration are not quite duly reconciled. A particularly capable officer may still have to wait long for his ordinary turn of promotion, while the Administration may suffer in having to pay highly for the services of a by no means particularly capable officer. And yet it seems so difficult, if not impossible, to arrive at anything like uninot impossione, to arrive an anything like uni-formity in appraising the judicial and adminis-trative work of different officers working in different districts, under different environment, Under the circumstances, it seems almost hopeless to suggest a change which may not under a given set of circumstances work hard. While there can be no question as to the desirability of

excluding from higher appointments those whose record's uniformly lead, or of preferring those whose record is uniformly good, the case of those whose record is not so prosounced or is nitized would require special headling. Provision should be used for the compulsary retirement of inefficient officers. But it is of course to be understood that they have head every chance of mending their ways.

20508 (18). To what extent are the functions of the officers of the Excentive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction —The Sub-Judges and Email Cause Court Judges do the civil work only. The Assistant Judges and District and Sessions and Assistant Sudges and District and Sessions and Assistant Service May the Civil and criminal work. The Magistrates do only criminal work.

29509 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—(The reply refers to the Judicial branch only.) The arrangement is not satisfactory. It is not sufficient that the places should be listed as open. They should be dis-tinctly severed from the Indian Civil Service list, if the pay and privileges of those holding them are to be different from those of the Indian Civil Service branch. The number of such appointments should be increased to one-third. The system followed in making these appointments cannot be regarded as suitable. It may no doubt be desirable to offer such places as an inducement to those when the ordinary appointment of Sub-Judge as such may not, from their social position, prove suffi-ciently attractive. But it is quite necessary to disabuse the members of the Subordinate Judiciary of the impression that considerations of real merit may be sacrificed to considerations of birth and social position. And the best way to avoid this would seem to be to have a selection made conjointly by the High Court and the Local Government. Either the High Court may name a certain number of men, of a particular standing and age, as in their opinion best qualified for the post, and the Local Government may make their selection from the lot. Or the Local Government may select a certain number of men and ask the High Court to find out the best of the lot. In either case, the ability of the candidates may among other things be tested by getting them to decide a few cases actually argued before Their Lordships of the High Court. But the selection for these posts, so far as the Judicial branch is concerned, should be from the Subordinate Judicial Service only.

20510 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service I Host, what change would you suggest 5—(The reply refers to the Judicial branch of the Service). So long as the pay for the so-called "listed posts" is not most expain to that of the members of the Indian Civil Service is is better that the inferior "listed" feets be merged in the Provincial Service.

3 95—48

Il would, however, give greater satisfaction if these inferior listed posts are treated as forming the same class of appointment is the First Class Sub-Judges' appointments, to which also appointments made by selection. In fact the appointment of First Class Sub-Judges and of Assistant Judge should be treated as unabsented and interchangeable. A man who has acted as Assistant Judge as every place where he is appointed. Only some fined allowance may be given to him when and where he is movining as Assistant Judge. This would give satisfaction to the First Olass Sub-Judges whose position and reads cannot be regarded as far different from that of Assistant Judge. This would give satisfaction to the First Olass Sub-Judges whose position and reads cannot be regarded as far different from that of Assistant Judge. This is wide fall from which appointments may be made to the vacancies of a District Judge's post.

29311 (21), Are you satisfied with the present designation "the Provincial Civil Service"? There is no reason to be dissatisfied with the present designation "Provincial Service."

29512 (29). Do you accept as suitable bla principle recommended the Paulin Service Commission of 1888-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the forms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommond?— (The answer refers to the Judical branch only). The principle referred to in the question would be quite acceptable if the terms offered are such as to score the desired qualifications to the best decree.

degree.
29513 (24). Are the existing rates of pay and
grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not. what alterations do you recommend?—(The answer refers to that portion of the Judicial branch only which concerns the Sub-Judges) The rates of pay and the manner of grading in the Judicial branch of the Provincial Service of this Presidency are quite inadequate to secure the desired qualifications in the officers appointed. The rates of pay and the tardiness of the promotion, compare very unfavourably with those of the officers of the Judicial branch in the sister provinces. They compare unfavourably with the provinces of the Judicial branch in the sister provinces. with the prospects of other branches of Service in this very Presidency, the work in which does not require the special preliminary-costly and lengthy-training in a tech-nical subject like law and the use of a skilled noted subject hate law and the use of washing intelligence, coupled with industry to keep in touch with the development of legal learning with a view to apply it to the cases in hand. What is worse, they compare unfavourably with those of officers who were appointed when the system was first inaugurated in the later sixties, and who presumably did not stand in need of that alertness in coping with the pleaders as is now necessary. And this, notwithstanding that the cost of living and standard of comfort has considerably risen, and the purchasing price of silver considerably gone down. The present rates of pay are accordingly causing great dis-appointment to the officers concerned when they find that the prospects of other departments are 6th March 1913.]

(190

improving. And this fact, if left unremedied before long, is sure to react on their work. It, therefore, calls for an urgent remedy. The following recommendations may receive con-sideration:—(i) The pay of the Provincial Small Causes Courts may be raised as follows :-

One on		•••		***	***	•••	1,200
Two on			***	***	***	***	1,000
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12	17	20	22	92	22		400
	31	25					300
2)	11		37	15	27		
**	12	25	n	D	12		200

(ii) The appointments of Rs. 150 should be abolished, except a small number, about ten for men on probation and training. 29514 (25). Are you satisfied with the present

system under which officiating promotions are now made in the Provincial Civil Service? If not, what alteration do you recommend?— (The answer refers to the Judicial branch of the The system is not satisfactory. It is Service.) desirable to make an alteration in the roles so

assignment of mass at attention in the rites of safe as to allow officiating promotions.

29515 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?-(The reply refers to the Judicial branch of the Service.) It would not be desirable to substitute a time-scale of salary alone for the existing graded system of promotions as it would obliterate the broad distinction between the stages of seniority marked by the present system of gradation. It would either work mechanically without reference to vacancies among the senior men and without reference to the efficiency of the officers, or on the other hand necessitate too frequent inquiries as to the officer's efficiency in the matter of small promo-But, if a time-scale has to be introduced, there does not appear to be any reason to restrict it to the lower grades only.

29516 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?— (The reply refers to that branch of the Judicial service which concerns the Sub-Judges.) I would recommend a system by which each main class of appointment would have a separate

29517 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the Service is different?— (The answer refers only to the Judicial branch of the Service.) I would recommend that there should be annual increments of Rs. 20 from the time the officer is confirmed on the lowest pay up to the time that he begins to draw Rs. 400. The increment should be given annually until the officer reaches the pay which with another increment would come to the amount of the pay of the next higher grade. And then the increment will stop, until he steps into the next higher grade by reason of a vacancy in such

next higher grade. The annual increment may be granted on pure consideration of seniority, until the time comes for reaching the next higher grade. The promotion to the next higher grade may up to Rs. 400 come in ordi-nary course, unless there are any particular reasons for stopping such promotion. appointment to places carrying Rs. 500 salary or more may, as now, be made by selection. Thereafter the increment should be Rs. 50 a. year (being one-tenth of the salary of the lowest appointment of that class). And the increment, being not tantamount to a promotion to the higher grade, should be governed by the same conditions as the increment of Rs. 20 above mentioned. The appointment to places of over Rs. 300 may be by selection from among those holding appointments with pay ranging between Rs. 500 and Rs. 800. This so far as the Sub-Judges are concerned, The application of a time-scale, unless a different time-scale is used for them, would not prove suitable to the officers holding the "listed posts", as the age at which they would begin to hold such "listed " posts would be generally very different from that of the members of the Civil Service.

29518 (30). Doyou approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments !—(The reply refers only to the Judicial branch.) The arrangements only to the discussi oranges, in a arrangements to which officers of the Provincial Givil Service holding "listed posts" draw salary, approximately at the rate of \$f\$.50 of the pay drawn in the same posts by members of the Indian Givil Service, cannot be approved of. The pay for the inferior appointments is soo low to smalle the first of the pay of the inferior appointments is soo low to smalle the first of the pay of the control of the pay of the the officers concerned to maintain their dignity as officers of the same rank with members of the Indian Civil Service. The work that these officers have to do is not in any sense different from the work which members of the Indian Oivil Service have to do: Being men specially selected for ability and merit it could not be fairly said that they were inferior to men in the Indian Civil Service line. The only consideration which is in favour of a higher pay to European members of the Indian Civil Service consists in the fact of their having to undergo costly voyages to England for the benefit of their health and for maintaining some necessary arrangement for the expenses of their children in England. But this consideration will not for a moment be allowed for differentiating between a moment of anowar for unterstanding between the pay of the Europeans and the Indian, Indian Civil Service. Besides, the broader notion about "family" which Indian life in this country necessarily implies, in a manner counterbalances the considerations in favour of a higher pay to the Indian Civil Service men. And it appears equitable that the pay and other condi-tions of service for men holding "listed posts" should be on a par with men who are members of the Covenanted service.

29519 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due ?—(The reply refers to that portion of the Judicial branch which refers to the SubMr. BHICKAJI RAGHUNATE MEHENDALE.

Continued.

Judges.) Leave on medical cortificate is as it should be as rare now as it was before. Furlough, leave on private affairs, leave without allowance, is also rarely enjoyed by members of the branch of the Services. The latest History of Civil Service, which is brought down to let July 1912, however, shows that there is a greater tendency during the last ten years than there was before of taking privilege leave for short periods. Even now, the amount of leave thus enjoyed is on the whole very short. But the circumstance that some leave is taken shows that the pressure of work is felt in a greater degree than it was before. It may be noted in this connection that generally the only privilege leave that is allowable in this branch of

the Service is on half pay only.

29520 (32). Is all the leave on full pay due to
them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?-(The reply refers only to the Judicial branch.) Sub-Judges are not allowed privilege leave on full pay, except under certain contingencies, which

are very rare.

29521 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—
(The reply refers to the Judicial branch of the
Service.) Under the present rules, the only
furlough that is allowable is one year after ten years' service and one more after another 8 years. There are, moreover, restrictions, on the years. There are, moreover, restrictions, on the grant of furlough, with reference to the privilege and other leave last granted. And there is a general tendency to look on the furlough, as a provision for the winter of life, as it cannot be that otherwise, just when it was wanted. If the activities one the grant of furlough, we have the provision for the provision for the provision for the provision of the pro man otherwise, just when so was wanter. It are restrictions on the grant of furlough were to some extent relaxed, and the rules as to the "earning" of furlough made more similar to those of the European service, as is in some measure now proposed to be done, it is more than probable that officers would begin to avail themselves of it. It is, therefore, necessary to allow for not only as much furlough as is allowed by the present rules, but for more, as is proposed to be done. This would in the long run be far from prejudicial to the administration, as nar from prejudicial to tale commissioned, as officers, after a fairly long period of rest, would actually feel better equipped for a vigorous discharge of their duties than is now the case. The change as now suggested in the Government Resolution, Financial Department, No. 3752 of 19th November 1912 is salutary.

29522 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The furlough allowance should be raised from § to § and from - to 1. At present they are not sufficient,

29523 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—(The answer refers to the Judicial branch of the Service.) (i) In the case of Subordinate Judges privilege leave is only on half-pay, as they enjoy

a summer vacation for 6 weeks. Now the vacation does not necessarily come to the officer when he wants it, but he has to take it when, under the particular condition of the District in which he is, the District Judge allows it. Under these circumstances, there seems to be no reason why the privilege leave—of course on half-pay—should not be allowed, in continuation of the vacation, by joining it either way with the vacation. At the most, it might be insisted on that the application for such leave should be made, fairly early before the commencement of the vacation, so as not to hamper the work of the Court, on the re-opening after the vaca-tion, when it is proposed to have such leave immediately commencing with the end of the vacation. (ii) Privilege leave now does not accumulate to more than 3 months. It may be allowed to accumulate subject to the condition that not more than 3 months may be allowed at a time.

29524 (87). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest? - (The answer refers only to the Judicial Branch.) When short privilege leave is taken, it may result in having to appoint a junior and inexperienced officer to a heavy charge in place of the absentee. B only occasional. And it is inevitable. But this is

29525 (38). In particular, are they a contributory cause of excessive transfers of officers, and. if so, how can this difficulty be met?-(The answer refers to the Judicial Branch only.) no transfers are generally made, during short periods of privilege leave, unless the officer is ripe for transfer, the leave rules are not a contributory cause of excessive transfers of

officers.

29526 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? what is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable? -(The answer refers to the Judicial branch.) The present leave rules do not press hard, except as mentioned in replies to questions (33). (34), (36).

29527 (40). Is the present system of super-annuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—(The reply refers only to the Judicial branch.) Notwithstanding, only to the Juneau oranca, Nowanasanana, there is an increasing tendency of refusing extensions to officers over 55 years of age, the system is not still quite subsfactory in the interests of both the Government and the members of the Provincial Service. It may look like a temporary gain to the individual officer who gets an extension and to Government in not increasing non-effective charges. But, in the long run, it precipitates the decay in health of the officer concerned by too heavy a strain at a time of life at which he could bear it ill. It also is likely to render the administration less efficient, besides leaving the junior men discontented at their slow promotion, which is made

solver by the extensions.

29528 (41), Have you say suggestions to make
in favour of any modifications in its detailed

Continued.

working, and if so, what, and for what reasons?
—(The reply refers to the Judicial branch of the service.) Looking to the climatic conditions of this country and the average physique, it will not be too much to say that in the generality of cases high physical and mental efficiency would not be possible after the age of 55. Question of extension generally arises, either because Goverment in particular wants the services of that officer, or because the officer for particular reasons, e.g., break and interruptions in service, wishes to continue, to prevent a hard case. In wishes of containing to prevent a first case. It is perhaps more desirable that the Government in their generosity should make some concession to the officer, in the matter of his service, than allow him to fill up a gap by continuing in service which they must well know he is ill-fitted to discharge. Such generous concession, in really hard cases, would cut out half the questions about extensions. the other class of cases I would suggest that the recommendation for extension should come, mote, from the higher authorities, e.g., the High Court or Government, from their personal knowledge of the officer's worth and the necessity of retaining him in service. In no case should the person concerned be allowed to have an initiation in the matter. He should have no hand in the matter, in fact, except by way of accepting the extension or declining to have it. But generally, the extension after 55 should be the exception,

retirement at 55 the rule. 29529 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their difficult to retire without some provision for some subsistence? If so, what do you suggest?—Yes. In such cases such pension as the length of his service would entitle him should be allowed.

29530 (43). Do you approve of the present sys-tem regulating the pensions of officers of the Protem regulating the pensions or omecar or one re-vincial Civil Service holding "listed posts"? If not, what do you suggest?—(The answer refers to the Judicial branch.) No. The present

Mr. BHICKAJI RAGHUNATH MEHENDALE, called and examined.

29533. (Chairman.) What is your easte?-I am a Bráhman. 29534. You are a Second-grade Subordinate Judge? - Yes.

29535. You are in favour of simultaneous examinations?-I am.

29536. And of fixing a maximum proportion of Indians for admission by examination in India? ⊷Yes.

29537. How would you secure this end?-I would have two lists of candidates, one for those who have passed in England, and one for those who have passed in India; and of the total num-ber of men required for each year I would not have on the Indian list more than one-third of the total number. Any man on the Indian list who did not secure marks totalling more than the last man on the English list should be rejected.

29588. Would you have any form of nomination or would it be open to any man who liked to appear at the examination ?- I think it should be

open to any one.

29539. Your answers are devoted chiefly to the Judicial branch of the Provincial Service, to which you belong. You think that the rules for this

rates of pension are much too low. They should be made to vary between Rs. 7,500 a year as minimum and Rs. 9,000 a year as maximum, if they are not brought to a par with those of the Indian Civil Service, as mentioned in answer to question (30).

29531 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend ?- (The answer refers to the Judicial branch.) No. Some provision for boththe compulsory and the voluntary retirement of officers is necessary. The former should be restricted to inefficient officers who may be given a pension, as mentioned in answer to question (42), The latter may be allowed in case of officers who wish to retire, though without a medical certificate, after a service of 20 years, such pension as the length of their service would otherwise entitle them to under the present rules being given to them.

29532 (47). Have you any other proposals to make in regard to the Provincial Civil Service notcovered by your answers to the above questions? to the Judicial branch.) (i) The posts—one or two—of Presidency Small Causes Court Judges should be thrown open to Sub-Judges. (ii) Theposts-one or two-of City Magistrates and other Magistrates which do not imply the exercise of executive functions may be thrown open to the Sub-Judges as training ground for post of Assistant Sessions Judges to which they can be appointed. (iii) The first-class Sub-Judges could be treated as first class officers under Article 1002, Civil Service Regulations. (iv)
The rules of travelling allowance including
mileage, etc., should be so altered as to reimburse all actual expenses to the officer travelling on duty by way of transfer or otherwise so as not to burden the officer with any expenses incurred for himself or his family.

branch should be amended so as to ensure that candidates, once selected, should not have to revert. Are there many cases where candidates have been appointed as probationers and have had to be reverted owing to there being no vacancy?-Latterly not many.

29540. What changes would you suggest in the rules?-I would have the number necessary each year fixed, and take up so many men at the beginning of each year, and allow them-to stay on acting as Sub-Judges or attached to the District Courts learning administrative duties

"29541. So that all that you took up would be assured admission to the Service?-Yes. They would be still on probation for two years.

29542. But you would assure them that at the

end of two years they would not be rejected?-Yes, on their work being approved as now

29543. You say that direct recruits to the Judicial branch should be admitted by combined nomination and examination?—The examination referred to is only that required by section 22 of

the Bombay Civil Courts Act.

20544. You would nominate from examinations?—Yes, in fact as now.

frontiened.

29545. I notice from your answer to question (9) that you do not seem satisfied with the present system of probation and you suggest an improved system for those entering the judicial branch?

Yes, leaving them to learn more of administration work than they are often able to learn,

29546. You do not think they learn much under the present system?-They learn Judicial work, but have often no opportunity for learning administration work.

29547. Therefore, you would put them into subordinate positions, under a superior officer, and give them administrative experience ?-Yes.

29548. In reply to question (12) you recommend an addition of about ten officers to the cadre as a

training reserve ?-Yes. 20549. Are the probationers at present included in the authorised cadre?—No, they are treated as acting officers only.

29550. You are in favour of those officers who are appointed to "listed posts" being included, in future, in the Indian Civil Service?—Yes, if they get full pay and not grds as now.

29551. Do you mean that they should be placed definitely in the Indian Civil Service?— Yes.

With no difference at all?-No differ-29552. ence at all.

29553. In reply to question (12) you make certain proposals for advanced pay. You do not consider that at present the various grades are receiving sufficient pay ?-Certainly, they are not.

29554. Upon what basis have you made these proposals with regard to pay?—I would have a ean reach the First-class in a period of about fifteen years at the most. He should get Rs. 300 not later than seven or eight years of starting in

the Service.
29555. You suggest Rs. 200 as the lowest grade ?—Yes-

29556. That means the extinction of the

Rs. 150 grade altogether?—Yes.

29557. Have you considered what the cost of these proposals would be?—Yes; the cost would be Rs. 5,11,200, not taking up the time-scale which I have proposed in answer to question (29). 29558. There would be a considerable expense to the State ?-Yes.

29559. Your time-scale would be based on these revised salaries ?-Yes, but I think the tim scale may be omitted if we start on Rs. 200. The scare may be continued it we start on its, 200. The general sense of the Service is that even proba-tioners should commence at Rs. 200, and if that is done, I think the time-scale may be neglected and these places may be included in the Rs. 200 grade.

29560. Would you do away with the time-scale altogether if you began at Rs. 200?—Yes. I would do away with the time-scale if the number of pasts in the Rs. 200 grade is reduced. If the twenty-five posts mentioned here are made to include the posts which I have suggested for the probationers I would not go in for the time-scale.

29561. Do you think your proposals would avoid blocks in promotion better than a time-

scale?—Yes

29552. But would not a time-scale rising by annual increments of Rs. 20 up to Rs. 500, with selection, at that point, for another time-scale to rise up to Rs. 800, give a more even flow of promotion than your proposal?—It would, no 29563. Would not you prefer that to the proposal which you have made here?—I would certainly prefer that, but if one thing has to be given up on the question of expense I would rather give up the time-scale than give up this.

29564. But the time scale need not, necessarily, cost as much as this, need it?-It would be a little less expensive if the number of posts in each grade is changed or, in fact, if the number of

posts is abolished practically.

29565. You desire to see some improvements in the conditions of leave. You say in reply to question (31) that owing to pressure of work leave is taken to a greater degree than it was some years is teach to a greater toggree man it has some years back why should you attribute that to pressure of work instead of to greater opportunities for officers to take leave?—We do not get leave on full pay and we should not be willing to take leave on half pay unless we really needed it. 29566. You mean that the increased number

of persons who are taking leave is due to the fact that they feel they must take a rost even though they have to sacrifice half their pay ?- Yes.

29567. What is your proposal to meet the difficulty?—I have learnt from my brother officers that privilege leave on full pay should be asked for, as in the other departments. There is another proposal asking to tack on leave to the summer vacation, which is not now allowed under the Regulations.

29568. How long is the summer vacation?-

Six weeks.
29569. You want privilege leave on full pay and permission to tack the leave on to the summer

vacation?—Yes.
29570. You suggest also an increase in the rates of farlough allowance?-Yes.

29571. Would you be prepared, if this con-cession were granted, to see the authorized period of furlough reduced ?-It is only two years in the case of Indian officers, and I would not go in for a reduction of that, even with the increased allow-

ance I have proposed.
29572. Therefore you would like to see the increase of furlough pay on the existing period?

-Yes. 29573. In reply to question (43) you propose an increase of pension: what is the present pension? -In the case of persons holding the "listed posts" it is Rs. 5,000, and Rs. 6,000 in any special cases

made by Government. 29574. And you would like to see it vary from Rs. 7,500 a year to Rs. 9,000 a year?-

29575. You say, that the travelling allowances given, are insufficient for officers on transfer. Can you give us any suggestions with regard to that?— At present, only double second-class fare is allowed and the least necessary is double that amount, with something like twenty maunds of free lug-gage. Otherwise, the man has to spend on travelling double the amount he actually gets from the Government.

29576. Out of his own private purse? Yes.

I would ask for four second-class fares with

twenty maunds of luggage free, 29577. Why do you ask for four second-class fares?-That will be very nearly sufficient to meet the ordinary expense, although not entirely. I think about three or five years ago proposals on this very line were made to the Government.

(Adjourned for a short time.)

6th March 1913.]

29578. (Lord Ronaldshay.) I want to see whether I understand your scheme for the examination, and, in order to do so, let me test it by a concrete instance. Supposing there are sixty by a concrete instance. Bupping the all of the year in the Indian Civil Service, I understand that your suggestion is that forty of those vacancies should be filled by Europeans, or, at any rate, by candidates passing the examination in England, and that twenty should be filled by candidates passing in India, subject to this qualification, that every candidate who passed the examination in India would have to have obtained as many marks as the fortieth candidate in the English examination. Is that

29579. That being so, the question I put to you is this. Supposing, that out of the twenty candidates whom you wish to recruit by the Indian examination only ten secured as many marks as the fortieth man in the English examination, what would you do then?-I would reject

the ten

29580. Then you would have ten vacancies in dia. How would you fill them? - They may be filled by candidates lower down in the list below I have not, however, given my consider-

ation to that point.

29581. That would really be a difficult question to answer, would it not?—Yes, it would,
29582. I do not see how you would get over that difficulty, because, if you put the next men in the English examination into those places you would find that the Indians whom you had rejected had got more marks than those on the English list?— Yes. It might be done by keeping two lists, and taking three Englishmen on the first list and then putting an Indian next, and then taking another three men in the English list, and one Indian on the next list, and so on. 29583. You had not really considered that

point when you made the suggestion to us, had you?—I had that in mind before, but not at the

time I made the answer.

29584. Of course, I am assuming that the examination papers in England and in India would

be marked by the same person?—Certainly, 29585. With regard to your answer question (19), what do you exactly mean by the following words when you say: "It is not sufficient that the places should be 'listed' as open. They should be distinctly severed from the Indian Civil Service list, if the pay end privileges of those holding them are to be different from those of the Indian Civil Service branch"? Do you mean by that, that if it is decided to retain what is known as the two-thirds pay Rule, then what are now known as "listed-posts" should be a erged into the Provincial Service in the same way as the inferior "listed-posts" are merged ?-Yes, that is what I

29586. I suppose you would prefer that these posts which are now described as "listed-posts should be paid the same as the Indian Civil Service posts?—Yes.

29587. If that were so, you would prefer that they should not be described as "listed-posts," but that they should remain as ordinary Indian Civil Service posts?—Yes.
29388. In other words, that the men who were

promoted to them from the Provincial Civil Service should be promoted not to a particular post, but should be promoted to the cadre of the Indian Civil Service. That is what you would prefer?—Yes.

29589. May I assume from that that you voice the aspirations of the majority of the members of the Provincial Civil Service?-On this particular point, I am not prepared to say that

this perturnal point, I am not prepared to say sing.

1 have had the opinion of many of my brethren.

29590. From your knowledge of your colleagues in the Provincial Civil Service you would be prepared to say that that is a proposal which would meet with their hearty support?—Yes, that

is what I think. 29597. With regard to the Provincial Service as a whole, is there much competition to get into Is it regarded as a Service to which men of good social position in this country may be proud to belong ?- In the absence of any other Public Service of a higher kind they have to take it up

as the best.
29592. They take it as a sort of second best?

29593. I want to try and find out how it is regarded by men of good social position in India. Is it regarded as a Service which they are proud to get into, as compared, for instance, with the legal profession, or any other profession in this country?-I think they would prefer to get into the Provincial Civil Service than he only legal practitioners in district towns.

29594. Do you think there would be any objection raised within the ranks of the Provincial Civil Service itself if it was to be suggested that men should be picked from the Service at a comparatively young age to be promoted into the Indian Civil Service?—Yes; I think at present there is such an objection and some discontent on this But if selection is made on some settled account. lines with proper competency by imposing certain tests, then, I think, there would be no room left for discontent; and it would be better in the interest of individuals, and of the Service also.

29595. You would get over the discontent by asking these men whom it was proposed to promote to the higher Service to pass certain tests ?-Yes.

29596. What sort of tests would you suggest?-In the first place, among other things, selection should be made from the record of a man's past service, and then test his actual knowledge of the law, and judicial appreciation of evidence. They should also amongst other things be asked to decide certain cases which are pending before the higher tribunal.

Are you thinking of the Judicial side of the Service only ?-I have practically confined

myself to that branch only.

29598. You would not be prepared to say what test should be imposed in the case of men serving on the Executive side?-I am afraid not, because I have not studied that side of the question

29599 You would agree generally with me, I suppose, that under the present system the men who are appointed to "listed-posts" are appointed at so late an age that it is really hardly worth while making them members of the superior Service ?-So far as the Judicial line is concerned I think the age is not so old, but one would wish that it could be a little earlier.

Do you not think it would be most 29600. Do you not think it would be most essential, if we were to suggest promoting men from the Provincial Civil Service to the cadre of the Indian Civil Service, that these men should the finnan Civil Berrica, because these their should be promoted at a comparatively young age, that is to say, after eight or ten years' service in the Provincial Service?—Yes, certainly.

continued.

29601. (Sir Theodore Morison.) In your answer to question (16) you say: "The selection to the appointment of First-class Sub-Judges is made by the High Court. And such selection is invariably acted upon by the Government." Is that the general opinion in the Provincial Civil Service?-I think it is.

29602. That is known?-Yes.

We have had a recommendation made to us that the appointments should be made ostensibly by the High Court, and that the High ostensing by see high coors, and that the high Court should be known to be making the appoint-ments, to which, I understand, there is some con-stitutional objection. The witness we had before same operation. The winders we had before us, as I understood him, said that nothing less than appointments made directly by the High Court would give satisfaction?—I have not hitherto been under the impression that the appointment was made ostensibly by the High Court.

29604. That was the recommendation, because I understood from this witness that in the Subordinate Service they were under the impression that the Local Government made appointments without necessarily accepting the suggestions of the High Court?—I cannot call to mind a case except one that was for an acting appointment in which such

suggestion was not acted on. 29805. The general feeling in your Service is that the appointments are made by the High

Court practically ?-I believe so. 29606. And are they satisfied with that method

of making appointments?—I think they are. 29607. They trust the High Court?—Yes,

29608. And therefore, in your opinion, no change in the method of appointment is neces-

-No.

29609. In answer to question (19), beyond the point Lord Ranaldshay called your attention to, you say: "It is quite necessary to disabuse the members of the Subordinate Judiciary of the impression that considerations of real merit may be sacrificed to conditions of birth and social posi-tion." You refer to some impression which, I presume, does exist?-I think there exists such an impression as I have referred to.

29610. Who makes the recommendation for the promotion to listed posts ? - I do not think the recommendation is sent from the High Court, at least not in many cases. The selection is made by the Government, if I understand rightly.

29611. You think that it is made by the Government, and that it does not necessarily accept the recommendation of the High Court?-I am afraid not.

You think that this suspicion is widely 29612. entertained in the Service? - Yes, I believe it is

23613. (Mr. Chandal.) In the answer which you gave to Lord Ronaldshay about the popularity of the Provincial Civil Service you only referred to the Judicial Service? -Yes.

29614. In the Executive Service there is a large amount of recruitment from the Subordinate Magisterial Service?-Yes.

20015. And the Magisterial Service often begins, even in the case of graduates on Rs. 20 and Rs. 25 s month?—I made reference only to the Judicial Service.

29616. You cannot say that that recruitment of graduates in Mámhatdárs offices at Rs. 20 and Rs. 25 is any attraction to the Provincial Civil Service at all?—No, not a bit.

29617. With reference to your answer to question (7), can you tell me on what you would base the statements of the first result you mention? You recommend certain results, I do not understand what you mean. In the first place, who do you mean by "the Indian official"?—The language I have used is liable to misconstruction, I find, on reading it now myself. I am not prepared to say that the Indian official, taken as a whole, has lost the qualities which I have referred to, but it is only persons who have not had the benefit of a general higher culture and higher opportunities for doing things on their own responsibility that I have referred to in my answer to the question.

29618. In answer to question (18), you give an answer to the first portion of the question, but you do not give any answer to the second part of it. I want to know, from your experience, whether on have any statement to make upon that point?— No. I have not answered the latter part, not because I have not an opinion upon the point, but

because I had no scheme ready made.

29819. I do not want a scheme. I want to know what the feeling of men like you are. I am referring now to the latter part of the question which says: "Is any change desirable and, if so, in what direction"?—Certailly, a change is desirable. able in the form of a separation of the Executive and Judicial.

29620. The combination of Magisterial and Executive functions begins from the Magistrate of the third-class, who is the Mamlatdar, getting Rs. 150, and proceeds right up to the Collector. Do you wish this separation about which you say there is a feeling throughout the Service, or do you confine it to any particular officers ?-I would rather confine it to the lower grades of the Magisterial Service.

23621. As regards the higher grades, suppos 24021. As regards the higher grades, suppos-ing the Preventive Powers under the Criminal Procedure Oods were left untouched, would there to say objection to the transfer of other Magis-tarial functions? No. I suppose not. But a question is likely to follow as to the effect of the control about the keeping of order. I have not studied that.

29622. I leave these powers untouched?-Then I do not see why it should not be carried on in that line of the branch also.

29628. With regard to the dissatisfaction which you refer to in the sentence which was pointed out to you in answer to question (19) about the "listed" posts, on what facts do you state that these appointments were on considerations, of social position?-I mean to say that there is a general impression. I am not prepared to say that the selection is bad; but I think there should be no room left for an impression like that.

29624. But wherever any appointments have to be made by selection, some people are likely to be passed over, and dissatisfaction is quite natural? Yes, but it may be minimised by putting some

29325. (Mr. Sly.) You have said that certain dissatisfaction has been expressed in regard to the combination of Judicial and Executive functions?

29626. By what classes have you heard that dissetisfaction expressed?—By the class which ean understand things for themselves; the educated classes, not the country people who do not understand things.
29627. By the educated classes?—Yes.

Continued.

29628. By the Bar?-The Bar, of course, are educated; they are an educated class.

29629. Particularly by the Bar?-I cannot

say particularly by the Bar. 20630. By other educated classes as well as by the Bar?—Yes.

29531. Is there any feeling on the subject by the masses of the people at all, so far as you have heard?—Not by the mere masses of the people. Unless, they have some education I do not think they have any expression of opinion upon this matter any more than they have upon other

subjects. 29632. Have they ever represented that the combination works some injustice, that there is a feeling that they do not have fair treatment? - I suppose the innumerable millions are too densely ignorant to understand anything about the matter.

29633. Then the masses are not affected ?-It cannot be said that they are not affected. Probably they do not understand that they are

29634. I should like to have a somewhat

clearer expression of opinion than you have given with regard to this subject of the representation of classes and communities in the Provincial Service, in your reply to question (7). You say that certainly it is desirable that there should be representation ?- Yes, without sacrificing efficiency.

If there 29685. is a strict educational qualification for admission into the Service, which, presumably, precludes any sacrifice of efficiency, do you not think it a good thing to have this representation of all classes and communities in the Service ?-I think the representation of classes would be desirable provided that efficiency is not

29686. How can you secure efficiency? -By a spread of education. That would be the mediate,

though not the immediate way.
29537. But if there is a strict educational qualification for admission into the Service, does not that seems efficiency, so far as it can be seemed by education?-It does, and I think in such cases the class is higher. In fact, taking the last the class is night. In face, saling on the Census Report, I find that higher appointments are running on almost parallel lines with the advance of education in the several communities.

29638. But that is due to the fact that Government has enforced the representation of classes and communities?—I am not qualified to express an opinion. I have not looked at it from

that particular point of view.

29639. For the improvement of the Provincial Civil Service, I gather that, you recommend the "listing" of one-third of the Judicial posts?—Yes, 29640. That is one-third of the District Judgeships ?-Yes, one-third of each, District Judgeships and Assistant Judgeships.

23641. Does that include one third of the High Court !- I think there is prevision in the High Court's statute for Sub-Judges being appointed to the High Court.

29642. You do not want one-third of the High 2004. 100 do not want one-tured of the ringu Court Judgeships 'listed ? I cannot say that I do not suppose that many would expect it until they are fairly prepared for it.

2964S. What would be your opinion of a proposal, which has been made to the Commission by several witnesses, that promotion to District Judgeships should be made, not only from the Provincial Civil Service, but that a certain proportion of them should be recruited direct from the Bar?—I think unless the fixed proportion were very small it would result in prejudice to the interests of the Provincial Civil Service, and furthermore, it might not be possible to find even the number of men who were fully qualified,

29644. Not in the Bar ?- I mean to say that in the district towns the men in the highest positions, men in the High Court, will not regard t as a sufficiently attractive post. They will be looking for higher rises if they are successful. And it is no good taking on men who are not successful.

29645. You have recommended that the present Small Cause Court Judges should be made over to the Provincial Civil Service, have you not ?-Yes.

29846. Those appointments at present, believe, are recruited direct from the Bar, are they not?—Yes.

29647. What is your reason for taking these costs away from the Bar and potting them into the Provincial Civil Service?—There is no particular reason which I can give, except for the improvement of the prospects of the Subordinate Judiciary,

29648. It is a simple desire for more appointments ?- For better prospects, not for more

appointments.

29649. You are aware, I suppose, that that subject was considered by the last Public Services Commission, and there was a strong representation against that proposal ?-I think from what I remember it transpired that there were no rules whatever governing selection to those places

29550. You also desire that the posts of City Magistrates should be recruited from the Judicia Service?-Only in the case of men who have had experience of Magisterial work, not otherwise.

29651. The Subordinate Judicial Service?-

29652. And as the training ground for District and Sessions Judge ?-Yes.

29653. What men in the Subordinate Judicial Service have experience in Magisterial work?-

They are appointed in famine times.
29654. If a member of the Provincial Indicinal Service is found to have done work as a Magistrate in time of famine his claim should then be consider-

ed for a City Magistrate?—Yes.
29655. It is not your desire that the City Magistrate's position should be amalgamated with the Provincial Judicial Service?—No, I cannot say that.

29656. You have also recommended that the Provincial Judicial Service should be given one month's privilege leave a year ?- We are entitled to that even now.

29057. On half pay ?-Yes,

29658. You wish it to be given on full 127?

Yes, that is the opinion of my service.

29659. You already have a vacation of six weeks on full pay?—We have.

29660. Therefore, for each year's service you want two and-a-half months' leave on full pay?—
I have not proposed it myself but that is the opinion of the service. 29661. With regard to the pensions of the

listed posts, you have suggested that the pensions should be raised to a minimum of Rs. 7,500, and a maximum of Rs. 9,000 a year ?-- Yes.

29662. The present pension is a maximum

of Rs. 5,000 a year?-Yes.

29663. Is there any service which gets a pension as large as you recommend there at the present time? - Rs. 5,000 is the maximum, except probably the pension of High Court Indges. I do not think there is any higher persion than Rs. 5,000.

29664. All the Services in India, such as the Public Works, Education, Sanitation, Perests and so on, have a maximum pension of Rs. 5,000. have they not?—Yes, plus an additional pension of Rs. 1,000 for certain heads of departments; that

is the maximum.

29665. How can the Provincial Civil Service men elaim a pension so much higher than any of the other Services in India? Are there any special reasons why this larger pension should be given to the Judicial Provincial Service?— They are acting in the higher parts of the Service, and they should be given a higher pension than the sub-Judiciary. Higher pensions should be recognised

29666. If they were given the same pension as other Services, and a special pension of Rs. 1,000 extra for serving in the "listed-posts", would not that be a full and fair remuneration, and fairly meet the demand ?- If it is given, as a matter of course, in all cases. I think it would

give satisfaction

29667. (Mr. Fisher.) You were asked by Lord Ronaldshay whether the Provincial Service attracted men of good social station. I want to ask you whether, in your opinion, the Provincial Civil Service attracts the best type of University

student? - Ves, it does.

2608. Is the Service maintaining its attractiveness, in your opinion?—As I said, in the absence of any other helter opening it is keeping up its attraction in the Judicial line.

29663. Do you think that the attractiveness of the Service is greatly increased by the existence of the "listed-posts" !— I cannot say, because the nosts are so very few.

29670. You do not think that the "listed-posts" have any effect in increasing the attractiveness of

the Service ?-No.

29671. The Service would not feel greatly injured if the "listed-posts" were withdrawn, and injurea it use inscerposse were withdrawn, and compensation given to the Service in the form of higher pay and better grades [—if will depend upon the amount of the higher pay which will be likely to be proposed. Besides, it is not the service of only the pay. They would look for places in a ony toe pay. They would look for places in a higher position in the official circle. 29672. With the chance of obtaining higher appointments?—Yes. It would not be the salery the which would be the attention.

y which would be the attraction.

29673. Am I right in thinking from your 20000. Am 1 right in thinking from your answer to question (40) that you are against extensions being given to officers over 55 years of age?—Yes, unless the higher authorities, or the Government itself, think the services of such an officer are quite necessary in the interests of the Public Service after superannuation.

29674. (Mr. Madge)-You have teld us that, in the absence of any better opening, respectable

classes are attracted to the Journal Over Service I—Ver, futily respectable classes, 29675. Apart from the private means that emable a certain class of student to go to England for the competitive enamination, do you think that men of the Provincial Civil Service are of much the same class as those who go to England ?-The instances of persons going in for

the Indian Civil Service are very few, and it would be very difficult to generalise on the proposition, Some men who go in for the Indian Civil Service from this Presidency are men who are not going by their own private means, but with the aid of schelarships or some such things, so that it would be very difficult to distinguish between classes who go in for the Indian Civil Service, and those who

going for the Provincial Service.

28076. With your knowledge of your own
countrymen, do you think they belong to much
the same class?—I do not think they belong to

any different class.

29877. In answer to question (7) of the Indian Civil Service questions under sub-clause (1), you say you think one or two years in England necessary ?-Yes.

29678. Necessary?-Yes. 29679. Indispensable?-Yes.

29680. We have had proposals before us, on the one hand, of giving Indians who go up for see one canal, or giving Indians who go up for the Civil Service, a probationary period in England; on the other hand, we have had proposals for allowing men from the Provincial Civil Service to go to England for much the same purpose, to get familiarised with English social conditions. Do you think that there would be any loss to the administration generally if selection for the higher Service were confined to the most successful members of the Provincial Civil Service?-It will depend upon the age at which they may be select-The age may be too high at ed for the purpose.

eat or me purpose. The age may be too might at the time of selection. 29631. But supposing a plan could be adopted of selecting them at what you consider the right age, would that be as good a plan of recruitment to the higher Service?—It would be the second

best.

29682. When a young man goes to England he is exposed to a number of risks of one sort and another. You cannot depend upon his proving to be the tried and successful man, which a member of the Provincial Civil Service is; and, from that point of view, you do not think one plan would be better than another?—No. I would rather say that the man who had withstood such tempta-

ons would prove the stronger. 29688. Do you think that the majority of Indian students who go to England turn out successful ?-- The majority are not successes.

29684. So there you see you have a large element of failure on the one hand, and, on the element of martine of the one mand, and, on are other hand, you have as near an approach to perfection as you can have it, and you still prefer be one to the other?—Yes, because it gives better material.

29685. You think that the young man who goes to Ragland and comes out successful is much better material?—Yes, I think so, as a rale.

29688. Do you, or do you not, think that a man going very young from this country to Eng-land, and exposed to a number of temptatione, runs any risk of being alienated from his own runs any rask of being alseanted from his own people, and perhaps becomes less able to symmothies with them thom a man who has lived his like in the country !—If he goes to young there is no doubt that there is that danger, but if he goes after completing his course, after paring the estimated here, as I propose, there should not be much danger.

here, as I propose, there should not be much danger, the will be fully entirped, I stopose, intellectually to cope utils those things. 29857. In answer to clause (ii) you think: "The preponderance of the English element in the Administration is now, and for all the time to which me can foreste, indispensible". Have you

continued:

in your mind any idea of the proportion ?—I have stated the proportion of two-thirds.

198

29688. In answer to question (4) of the Provincial Service questions you refer to two different practices, one which prevailed up to 1869, and one which came in later. Which do you think the better —The present one is satisfactory. As I have said, there is not sufficient material to know what the practice was before 1869. With regard to the selection of Subordinate Judges there is not

sufficient material to find out 29689. Inanswer to question (16) you say: "It may also possibly lead to the selection of men, of whose work the High Court may have no idea." Do you think that if a system of High Court circuit Judges was adopted here, as has been proposed in Bengal, it would enable the High Court to do these things? In the first place, would it give them a better knowledge of Sessions Judges and Subordinate Judges than they can have now from merely reading paper books?—I have no knowledge of the Bengal system.

29690. I refer to Bengal simply because a certain proposal has been made there. If a similar proposal were made here, and the High Court Judges went on circuit, would it enable them, in the first place, to form a better idea of the qualifications of the Sessions and Subordinate Judges than they do now merely from paper books?—That would certainly be so. For the last four or five years there has been inspection from the High Court, and I think that enables the High Court to see the merits of the Sub-Judges, probably.

29691. Do you think that it would improve the administration of justice generally ?—Yes, 29692. (Mr. Heaton.) With reference to your

nawer to question (2), candidates now apply to be put on the list of appointments for Judges immediately after they have passed they active their LLLB. ?—No, I would have selection made

after three years.
29698. What do they do at present? When do they apply ?—They apply indifferently. They do not always apply immediately after they have

29694. When would you have your selection made?-At the beginning of each year, from the candidates who have passed three years

previously.

29895. You would have the selection made as soon as the candidate qualifies ?—Yes. 29696, You would have him

appointed immediately to a probationary post?—Yes.
29697. And you would guard against his

reverting ?—Yes.

29698. You would get rid of these qualifying pasts altogether?—I am against them all, but it has been sometimes represented that the District Judges Courts could not be worked unless there was a higher qualified man with a legal training, and that such men could not be attracted to the and that such men count me to accurate a country of the Service, without the prospect of a Sub-Judge's post. Except in that respect I would make no reservation. 20099. In answer to question (30) you speak of

To use to question to you speak to the "broader notion about family which Indian life in this country necessarily implies." Are Subordinate Judges, in your opinion, placed at any disadvantage in the matter of educating their children, for instance?—Yes, very much.

29700. In what way, particularly ?—In most of these places, except district towns, where Sub-Judges are posted for the greater portion of their service, there are no schools for their children.

We are transferred to places where our native how long we shall remain in that particular Pro-vince, so that we find it difficult to put our children to school, and to continue their education in any particular language.

29701. That, you consider, is an element to consider in a question as to whether your salaries consider in a quession as or whether your seames are proportionate to the duties you have to porform, and to the disadvantages of the life imposed upon you?—That is one of the very strong elements which make our salaries quite insufficient.

29702. (Mr. Joglekar.) In answer to question (II) of the Provincial Civil Service series you say: "I do not consider that any change should be made in the classes of offices and appointments at present included in the Provincial Service ?-Yes

29703. Do you mean the Subordinate Judges? - Yes.

29704. "Provided such inclusion is not made the basis of treating the Sub-Judges as on a level

with members in the lower division of the Executive branch"?-Yes. 29705. Perhaps, you know that Mamlatdars are included in the lower division of the Executive

branch ?-Yes. 29706. Are you against this inclusion?—No, I am not against this inclusion. What I want to point out is that even the last Public Service Commission, I think on pages 80 and 81 of the report, said, that it was very difficult to draw the line as to lower and higher branches of the Service in the Judicial line, and on that account they refrained from drawing that line. That is the reason why Sub-Judges should not be compared with Mamlatdars. If our prospects are not com-pared with those of Mamlatdars I would not object.

29707. Mamlatdars get Rs. 250?—Yes. 29708. Do you think that a Mamlatdar at Rs. 250, having first-class powers, is on a lower level than the Sub-Judge at Rs. 150?—I am not talking of any level. I am talking of the pros-pects. I think a Mamlatdar would be on a higher

level if he is a first-class Magistrate. 29709. Do you want every Sub-Judge to get more pay than a Mamlatdar?—I said there is

no comparison. 29710. Why do you compare a Mamlatdar with a Sub-Judge?—For this very reason, that the comparison is often made for the purpose of shewing that the lowest grade of Mamlatdar's pay should be the lowest grade of pay for the Sub-Judge. That I say in view of the fact that the Commissioners refrained in their report from marking a line of lower and upper division in the Judical Service, as they have done in the Executive branch.

2971). In answer to question (47) you say:
"The posts—one or two—of City Magistrates and
other Magistrates which do not imply the exercise of executive functions may be thrown open to the Sub-Judges as training ground for posts of Assistant Sessions Judges to which they can be appointed." Perhaps you know that a City Magistrate has a long magisterial experience?—

29712. And that in a city like Poons very

important cases come before him?—Yes. 29713. And it would be advisable to make 29/13. And it would be survisable to make that post simply as a training ground for a new Sub-Judge without any magnistrial experience?— I would make it in the case of those who have already exercised magnisterial powers, 29/14. (Mr. Bhadbhafa). As regards the rates for the admission into the Provincial Carlo Service in the Judicial Branch, will you please

Foundaded.

refer to clause C of Rule 12 "Served with approval for three years in any of the Courts marginally noted as Clerk of the Court, Head Clerk, Shirastesny how many of these posts afford a training for a Sub-Judge?—I say that the Clerk of District Courts is the only post to which that could apply to my knowledge. Of course, I cannot speak about the higher posts.

29715. You are aware that the Clerk of the Court exercises no Judicial functions?—He has to do a great deal of ministerial work, and he is a

to a great deal of ministerial work, and he is a responsible officer.

29716. And as to sub-clause A under the same Rule: "Who has been in full and continuous practice for three years as an Advocate, Valid or Pleader in a Civil Court," do you think that it is possible for such a candidate to acquire full and continuous practice within the short time?-I think such practice could not be acquired in three years. It is true that under present conditions the practice could not be full and continuous.

29717. Do you think a man who has been in full and continuous practice for three years would

accept Rs. 150 to start with?-No. 29718. You think these Rules require modi-

fication in many particulars ?-Yes. 29719. Would you prefer in their stead Rules for the selection of law graduates in the order of their merit after their having qualified by attendance in some Courts six months in a Civil Court and six months in a Court exercising criminal powers?—I think selection of such men would be desirable, but I am not very sanguine about the result of six months' training.

29720. You suggest the selection of Subordinate Judges primarily from practising Pleaders?-

2972I, How is such a selection to be made and who is to be the Judge of the qualifications? Do not you think there would be a great

scramble?-I suppose the University test would be taken.

29722. In the case of practising Pleaders how is the selection to be made?—Out of the best men. 29723. It would be very difficult to find out which man was in practice, and which man was not ?-I think there should be a larger field out of which a smaller number should be selected.

29724. You are aware that first class Subordinate Judges in this Presidency very often exercise appellate powers?-Yes.

Do you think they deserve an incre-29725,

ment on their pay ? -Yes. 29726. Some of them are at times invested

with the powers of District and Sessions Judges?—They are. 29727. Do they get any extra pay for that ?--No.

29728. You think it is necessary that they should draw some special allowance for it?-Yes.

29729. Has there been a reduction in the pay of Small Cause Courts Judges?—Yes. The pay of a Small Cause Courts Judge was Rs. 1,200

within my memory, and now it is Rs. 800.
29730. You are of opinion that the pay of those posts should be increased?—Yes, I think it should be at least restored.

29731. You know that the vacation in the Small Causes Courts in the mufassal is split up into

two?-It is so also in the Presidency towns.

29732. Should not these Judges be allowed privilege leave on full pay; the same reason does not apply to Sub-Judges who get six weeks'

vacation at a stretch?—It would be difficult to distinguish. After all, they do get six weeks.

29733. But not when they want it ?-Neither

do the others.

29784. You suggest a probation for Subordinate Judges for learning their administrative

work? -Yes 29735. May I ask whether it is such a difficult

work as to want a probation of such a length !-I can only say that they should learn their work, 29736. Is it so difficult as not to be learn Is it so difficult as not to be learnt in

a couple of months? -It may not be, if taken, by itself only.

29737. You seem to advise that the appoint-

ment to listed-posts should be racdified in some

particulars?—Yes. 20738. Would you favour the recommendation for Assistant Judges' posts being made by the High Court? Would that give greater satisfaction to the Supordinate Judges? - Yes.

29739. They have greater confidence in the selection by the High Court?—I cannot say anything as to greater confidence. The High Court would be in a better position to judge of their merits. We have certainly faith in the High Court.

21740. As regards appointments to the Subordinate Judges' posts, you know they are made by Government ?—Yes.

29741. And the High Court has no voice at all ?-No.

29742. What you refer to in that answer is as regards the promotion and transfer of Suborlinate Judges, and the power of recommendation ? - Yes.

29743. Do you favour a system of founding scholarships for sending boys of fairteen years of age to England to compete for the Civil Service ?-No, not under the system which I have suggested.

23744. Do you think that clever Indian boys of that age would have any advantage in going to a public school?—That would be no good.

29745. Would their English be quite equal to that of the boys in the public schools? they be able to make themselves easily understood in the public schools?-I do not think so.

29746. As regards the comparison of the Subordinate Judges' groles with that of the Mamlatdar, is it not the fact that the Subordinate Judges are double graduates,-graduates in law and arts? -As a rule they are.

29747. And their duties are of a more responsible natura than those of Mamlatdars?-

29748. That is why you think a comparison with Mamlatdars is not correct in determining the uay and remuneration of the Subordinate Judges?-No.

29749. On what ground are you opposed to the extension being granted to public servants in the other Departments? - Looking at the general

state of physique amongst us. 29750. Or the block in promotion?—That is

not the only thing. 29751. As regards the separation of the Judicial and Executive functions, do you think that the Subordinate Judges would be capable of administering criminal justice satisfactorily? -I

have no reason to suppose that they would not be. 29752. They have sufficient training for that ?-Yes.

29758. Would they make better criminal Judges than the Mamlatdars as a class?—I cannot express any opinion upon that point.

(The witness withdraw.)

6th March 1913.]

Mr. L. Graham.

## LANCELOT GRAHAM, Req., I.C.S., Assistant Remembrancer of Legal Affairs and Secretary to the Legislative Council.

Written answers relating to the Indian Oivil Service.

99754 (f). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you occup it as generally subtistatory in principle?—I cannot suggest any other system of recruitment which would be equally successful on the regard of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of services, examination in India or by means of services examination in India or by means of services.

9975. (9). What would be your opinion with regard to filling a fixed proportion of the vacanies in the Indian Civil Service cadre by "Natives of India" "ceruited by means of a separate examination in India or by means of expante examinations in each provinces or group of provinces in India? If so, what proportion on the next province and "I do not have been as the present system of listing appointments for the Provinced Indian Civil Service. With reference to existing appointments the principle that the stansfer of an appointment from Imperial to Provincial shall not take effect to the prejudice of the members of the Imperial Service already in service must be ingenously observed. This restriction does not apply to new appointments.

99756 (18). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, plesse describe the system that you would propose?—I consider that the present system of recruitment for the service custure the highest possible degree of general capacity smoog fice successful candidates, and that a period of not less than four years, and preferably one of six years, spent in the performance of the duties of Magistrate and Assistant Collector is the best possible practical training for the development of Judicial Capacity. This training should be supplemented on the theoretical side by study leave.

29757 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for cardidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?-The age limit should be fixed so as to enable candidates to complete an Honours Course at any University. In this way the field of recruitment is widened, and the candidates are brought into competition at an age when it is more easy to distinguish between them. Also the State obtains their services at an age when they have completed their education at their own expense.

"99786 (29). Do you consider it necessary that centain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, when posts and for what reasons? Please state in detail what attentions (it any) you recommend in the Schedule of the Indian Civil Service Act of 1561 (24 and 25 Vict. c 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c 54), and of the Government of India

Act, 1870 (33 Viet. c. 3), reproduced as Appendices II and III to these questions, 12—As the law stands thereservation is incomplete because it is subject to the provisions of section 3 of section 6 of the Government of India Act, 1870. Unless there is reservation no method can be devised for recruting the proper numbers and there can be no definite prospects of promotion. The principle of reservation being of this importance it is essential that it should be expressed in a stainte. In view of the provisions of section 6 of the Government of India Act, 1870, I see no reason for altering the Schedule.

29759 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system ?-I am of opinion that the one year's course of probation spent at an approved University in England is useful for bringing the men together and developing esprit de corpe. Secondly, I consider that after the strain of the open competitive examination, which has in many cases been preceded at an interval of something less than two months by the strain of a final examination for an Honours Degree. the men are not fit to go straight out to India, and they can very profitably spend a year at home with just enough work to keep them pleasantly occupied. In this time they can be grounded in one language, and receive just enough instruction in law to enable them to bandle Third Class Magisterial cases on arrival in India. The second examination, which con-cludes the period of probation, should be a qualifying examination only, and seniority qualifying examination of should not be affected by it.

29700 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination. (b) under any modification of that system recommended by you?—Under the present system the period of probation should be for one year for reasons stated in my answer to question (45).

29761 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, for reasons given in my answer to question (49).

answer to quession (25).

99762 (46). Its, do you advise the selection
of one or more Universities for this purpose and
for what resons — I consider that only a few
Universities, and prefensity only the Univerrities of Oxford and Combridge, should be
approved for the period of probation. This will
ensure the bringing together at each approved
University of a fair number of none, and the
develorment of a common feeling unong them.
I would exclude London University on the
ground that the men would never meet except,
in the lecture-room. If the number of approved
Universities is small enough they will give all
the advantages of a separate institution in
addition to their own, and the cost of a separateinstitution will be avoided.

continued.

29768 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend ?- It must be remembered that practically all the men have during their University career been holding scholarships which cease on their entering the service of the Crown. It is, therefore, essential that probationers should receive such allowance during probation as will enable them to live not only decently but comfortably. Their expenses on riding alone should be considerable, and it is most desirable that they should be able to make some sort of a show. The spectacle of a man with a first class degree living in mean to a man weat cases degree living in mean lodgings and taking pupils in order to support himself during his term of probation as a servant of the King is not edifying and is not calculated to improve the class of recruits. Nor is it desirable that men should be in debt on arrival in India. The allowance should be not less than £250, or £200 with free riding. In less than 250 of 2500 with her binds. In the event of failure to pass the qualifying examination provision might be made for the recovery of the allowance by instalments, but failure is so rare that Government should be willing to stand the loss. After passing the qualifying examination, the men should receive

a first-class passage, 29764 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?—So far as Bembay probationers are concerned, I would allow only one language, and that Hindustani, with some one sugguege, our time time description attempt at the colloquial use of the language, to be studied during the year of probation. I would have no optional subjects, and I would add Hindu and Minhammadan Law to the compalsory subjects. The examination should be

a qualifying test only.

29765 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the integenera principies o periseuenes; (iii) l'ale teaching of the grammar and text-hocks of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—As regards languages and law please see my answer to question (51). I am not in favour of No. (i), because I think the probationer has quite enough to do in his last year, and he can attend the Courts of Magistrates and Judges after his arrival in India, as part of his training. As to (iv), men of the age of our probationers will not learn Geography or Accounts during their year of probation.

A period of training at the Local Tressury on arrival will teach them all they require to know about accounts, and once in the country they will soon learn all they require to know of the Geography of their particular province. Prac-tically, all the candidates take Political Economy in the open competitive examination.

29766 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—There are too many of them and owing to the system of allowing seniority to depend in the first half of a man's service on his performance in them, men come up for them too soon and pass with crammed knowledge. Their last opportunity for "cramming" should have been for the open competitive examination, but they are encouraged by the granting of seniority to 'cram' for their final in England, and their departmentals in India. There should be only one departmental, and that should be up to the standard of the present Higher Standard, and the use of ooks should be permitted in all the papers. Men should be required to pass this examination not earlier than eighteen months and not later than three years after their arrivel in the country. Anyone not passing within the pres-cribed period should have his increments (if the time-scale is introduced) stopped, or a percentage out from his pay.

29767 (64). Please give your views as to what steps (if any) are necessary to improve the pro-ficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—For Magisterial work the Civilian gets all the training be requires. The amount of law which he handles presents no difficulty to him, and he is a good or had Magistrate according to his capacity for appreciating evidence. Those Civilians who after not less than four years and not more than six or seven years service as Magistrates are appointed to the Judicial Department should be required to complete their training by one or more periods of study leave, which should, in the first instance, be devoted to the passing of Bar Examinations, and secondly, to reading in Chambers. A detailed scheme has been submitted to the Government of India by the Government of Bombay and I have no

further suggestions.
29768 (72). The present theory underlying the conditions of service in the Indian Civil Service is that-(a) the members of the service should have sufficient training in subordinate should have subscent training in successful training in successful to the foreign are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure those objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per measure is ascertained, and it is endeavoured to recruit only sufficient and it is endeavoured to recruit out? stindent officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be

necessary if the age of recruitment were

202

Mr. L. Graham.

Continued

lowered ?-I accept the theory but I wish to point out that in Bombay the soundness of the theory has been vitiated by the unsound manner in which it has been applied. In the first place, the following appointments have been wrongly treated as superior:—5 Assistant Collectors on Rs. 900; 1 Colonisation Officer, Jamrao Canal; 1 Manager of Encumbered Estates, Sind; 1 Registrar of Co-operative Gredit Societies; 2 Superintendents of Land Records. In practice none of the holders of these appointments draw as much as Rs. 1,000 per mensem. Again the total cadre was fixed in the year 1900 at 163 while in 1907 it was raised to 180 with no addition to the net numher of substantive posts. Lastly, the cadre is framed on an assumed casualty rate of 4:17 per cent. of total strength, but during the last ten years the casualty rate has been only 2.5 per cent, on the average total strength. These errors have produced excessive recruitment, as on he seen from the Bombay Quarterly Civil List of 1st October 1912, which shows 65 Civilians out of 175 as Supernumerary Assist-ant Collectors. Of these Supernumerary Assistant Collectors the senior is of ten years' service, and it has been calculated that in the last twenty years the average period required for attaining the rank of 2nd Assistant Collector has increased from 64 to 94 years. 29769 (94). Do you consider it desirable that

there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what ?—Uniformity should be aimed at but it need not be absolute. There is acute dissatisfaction in the Bombay Presidency on account of the comparatively inferior position of the Judicial Department in spite of the fact that in the Bombay Presidency the Judicial Department is more highly organized than in any other part of India. subjoin a table illustrative of the grievance. The table shows the average pay of the Sessions Judges in all the Provinces.

					Rs.
	Bengal (including	Assau	and Bila	g and	7147
	Orissa)		/**	***	2,283
					2,830
	United Provinces		***	***	2,155
	Panjab		,	***	2,191
	Burmo	***	·	***	2,267
	Bombay	***	***		2,091
u	view of the	DAY	in other	provine	es ani

the rise in prices the Judgeships in the Bombay Presidency should be regraded as follows :-

						369.	
2 :	appointment	no on	***		***	3,000	
5	ditto					2,500	
5	ditto					2.250	
5	ditto					2,000	
Phis	number	includes	the	new	Ind	geshin	
-e.eln	one best	and ala	- 11			o-mit.	9

a, but excludes the appointment of Legal Remembrancer and Secretary to Government in the Legal Department. This appoint-ment should be treated in the same way as the other appointments of Secretary to Govern-ment, being graded with them on minimum pay of Rs. 3,009. But on the ground of disparties of pay a still more serious grievance is felt by the Assistant Judges. In the Bombay Presidency Assistant Judges with Appellate Powers, exercising also the powers of Addi-tional Sessions Judge, and thus, except for comparatively unimportant administrative work doing exactly the same work as Judges,

may be found receiving Rs. 500 pay and acting allowance of Rs. 200 or Rs. 286 according as their gradation lists show them as Acting First or Second Assistant Collector. With these may be contrasted the Punjab District Judges vested with lower judicial powers and drawing Rs. 1,500 per mensem, and the new appointments of Sessions and Subordinate Judges in the United Provinces on Rs. 1,200 per mensem. These United Provinces appointments from their denomination also appear to be vested with interior judicial powers. The following table shows the lowest pay received in the different provinces by officers doing judicial work, according to the Combined Civil List of the 1st April 1912—

				Re.
Madras	101	4+3	***	1,738
Assam	***		***	1,693
Bihar and Or	1982		•••	1,566
Burnes	***		•••	1,200
Gentral Provi	no:38	***	* ***	1,166
Punjab	***	***	***	1,500
United Prov		***	***	1,344
Bombay		***	***	700

To ensure more adequate pay for the work done by Assistant Judges I propose the following:—1 Joint Judges on time-scale pay of Junior Officers + Rs. 300 special allowance, to be treated as pay for all purposes; 10 Assistant Judges (with appellate powers) on time-scale pay of Junior Officers + Rs. 200 special allowance; to be treated as pay for all purposes. The Joint and Assistant Judges will also be Additional Sessions Judges; 4 Assistant Judges (under training) on time-scale pay of Junior Officers + Rs. 100 special allowance. 29770 (99). What is your opinion regarding

the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not ?—I am in favour of a time-scale for junior officers only, the increments extending to the completion of eleven years' service. By that time, or within a year or two of that time, men may expect with reasonable certainty to act regularly as Collector or Judge. The appointments of Collector and Judge should remain as graded appointments.

29771 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in Provinces where the scale of pay of judicial and executive branches of the service is different?—I recom-

end rue ton				
				Rs.
First two yes	ara, being yo	ars of traini	ıg	500
But, ii ind	epandent c	harge is re	ceired	
during the	at time, the	n from rec	elving	
such char			***	550
After 2 years	3		***	600
., 8 .,			***	650
n 4 n	***	***	***	700
, 5 ,,	***	***	***	800
,, 6 ,,	***	***	•••	900
0.7 0	***	***	***	1,033
,, 8 ,,		***		2,100
, 9 ,	***			1,200
,, 10 ,,		***		1,900
31				7 400

The justification for these rates is to be found in the rates provided for the first and ninth year of service. These show a rise of Rs. 100 yes to service. Insee Schiw as for its. Ino only on the present initial pay and on the pay which an officer is supposed to be getting in his nitth year. This rise is fully justified by the rise in prices, and the rates for the remaining years are worked out from these rates. The solution involves the sholition of the grade system for Assistant Collectors (including Assistant Judges). The time-scale pay denotes minimum substantive pay. Acting allowances would be payable in addition. The rise to Rs. 650 should not be given unless the Departmental Examination has been passed. The other increments should be liable to be withheld by order of the Governor in Council, but there should be an appeal from such order to the Governor General in Council. All junior officers should be placed on time-scale and special appointments held by such junior officers, e.g., those of Joint Judge or Assistant Judge with full powers in the Judicial Depart-ment, and those of Settlement Officers, Superintendent of Land Records or Registrar of Co-operative Credit Societies in the Revenue Department, should carry special allowances. I would also treat the appointments of Under Secretary and Assistant Legal Remembrancer in the same way. Promotion to the substantive posts of Collector and District Judge will be made as at present

99778 (163). If you are in favour of a timecale of pay, how would you search that the
accruitment of junior officers is restricted to the
number likely to be prometed in a reasonable
time to posts of independent responsibility,
and do you of do you not account of the installation
and do you of do you not be consider; it desirable
that all members of the Indian Oiril Service
should have the prospect of rining to such
posts within a fixed time?—The recordimont should be on the presset principle, the
basis of calculation being the anumber of
superior appointments should be changed so as
to include no appointments the definition of
superior appointments should be changed so as
to include no appointments hower than those
of Collecture and District Judges of the lowest
grade.

29778 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above guestions?—Helivilian High Court Fadges are to be held to be gleater of from appointment a so that you have been should be raised to the level of that of ordinary members of Council.

99774 (109). Do you consider that the rates of funlough allowances are witable? If loo, what changes do you recommend?—For the credit of the sorries it is destrable that Uriticas on furlough should not be condemned to residence in country cottages or dury lodging in London. Nor does it appear quitable that a Civilian on medical leaves bould not have his doctor's bittle paid. He lesses his health or active service, and until, he actually leaves Ludia he gets medical attendance free on his serviral in England. I suggest that he trates of terr lough pay he raised to two-thirds of the average salary of the last times year, and that when a mut goes on sick leave he should receive medical state of the country leaves the should receive making and the state of the many constructions.

29775 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in stering and in vapes, and if so, what change?—I consider the minimum rate of 2500 a necessary concession, but I can see no justification for the maximum limit of £1,000.

29716 (113). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances a funishible, are suitable? —The present leave rules are quite mustiable to sudden emergencies. A suitably elastic scheme has recently been drafted by the Gor-erment of India, and the only additional angestion I have to offer is that Indiagh for six months should be available after the condusion of the first four years of service.

29777 (118). Is the present system of equal amustics to all members of the Indian Givil Service generally accepted as estimatery by the Government and by the members of the Indian Givil Service 7—The only exceptions which I would admit to the rule of equal pensions would be the increase to 21,200 of the pensions of an ordinary member of Council and of a Givilian High Court Judge on the completion in each case of twe years' service in the appnintment. If judicial officers are in practice to be desired from the appointment of ordinary member of Council, they should, as compensation, be enabled to quality for the full judicial pension after a shorter period than that which is now reserviced by any ordinary member of the council of the

in now prescribed by statute.

39778 (120). Assuming the miniterance of
the annity system, do you suggest any
morifications in its databled working, and, if so,
what and for what reasons?—Deductions on
the present scale should contributions to the
should be held to be not contributions to the
anuity but symmets into a provident fund,
which should be conducted on the sauss lines as
the Batlways Provident Funds. The loss to the
State would be trifling, and the abolition of the
inequable system by which the contributions of
a man who dies before he resigns the service
go not to his widow but to Octomment would

remova a genuine grievance.
20779 (21). In particular, what is your
opinion of the arrangement by which members
of the Indias Offil Serice, who are appointed
Judges of High Courts, obvin special punsions
of £1,200 a year after 11½ your actual service as
Judges? Do you recommend any change in the
present conditions?—I and told that an extraction
investigation would prove that the extra pension of £320 is more than paid for by the resiplent. It is certainly mare than earned. I have
already recommended that the special pension
is the appointment, provides that the holder
has completed twonty-two quests of testine
at the appointment, provides that the holder
has completed twonty-two quests of that services.

29730 (133). Do you consider the existing pansion rules suitable in the interest both of the foverament and of the members of the Indian Giril Service? In particular, what is your opinion of the present rules regulating valuntary and compulsory retirement?—It is desirable that further provision should be made both for voluntary and for compulsory retirement.

204

ment. I advocate a system of voluntary retirement on completion of fifteen or twenty years' service as making for efficiency by removing men who, for whatever reasons, are not going to give the best of themselves to their work. In order to prevent an accumulation of senior men tired of their present work and hanging on desperately in the hope of promotion would rule that any one who on completing twenty-five years' service has not reached the rank of Commissioner or First Grade Judge should retire automatically.

Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The age up to which the orphan son's pension should be continued should be 24, inorder to make it possible for him to have the opportunities of education and choice of career, which would have been open to him if his father had survived.

29781 (129). Do you accept as satisfactory, the regulations of the Indian Family Pension

Mr. L. Graham, called and examined.

29782. (Chairman.) You are Assistant Remembranear of Legal Affairs and Secretary to the

Legislative Council?-Yes. You are opposed to any system of recruitment to the Indian Civil Service in India? I do not think it could be better than what we

now have. 29784. What are your objections to filling a portion of the posts in the Indian Civil Service by means of an examination in India ?—If you mean that they would be considered members of the Indian Civil Service, I think there would always he a distinction between them. They never would be so considered except upon paper. I far prefer to promote men through these "listed" appointments, of whom I know something.

29785. Can you tell us what propertion of pests you would be prepared to allow in the Indian Civil Service cadre to Indians?—I have not worked out the exact proportion, and I should not like one fixed for any definite number of years. I think it should gradually be increased.

29786. Do you think that the time has now arrived when there should be an increase?-I

alfould be prepared to see rather more appointments or listed. "

29787. You would give the increase by primotion from the Provincial Civil Service?—I

think that it is the best way. 29788. What are your reasons for preferring that method to others?-Plainly, I should know the men whom I am promoting. I should be

certain that I was going toget good officers.
29789. Would you hold the same opinion if the examination were of the same character and were on similar lines to the London Examination, and if the snecessful candidates were to spend a year or two in England subsquent to the examination?— I do not think that a year would be of any parti-cular good to them. They would have every reason for keeping to themselves.

20700. Do you spree with those witnesses' who have suggested that listed posts should be abolished, and that promotion should be direct into the Indian Civil Service?—That is a view with

which I entirely disagree.

29791. Would you retain the listed posts as

at present?—Yes. 29792. Youwould not have any alteration in the pay or the status?-If there was a fair case made out for increasing the pay, I would do so. I am not aware of the exact financial resources of the men, or whether they feel they are getting enough To a certain extent they must have been affected by the general rise in prices, though I do not suppose to the same extent as the members who are recruited from England.

29793. As regards the Judicial branch, what proportion of posts of District and Session Judges would you be in favour of listing?—I should prefer not to give you any exact figures; in fact, I have not worked it out. Some new Judgeships must be created and I think we should give those appointments away.

29794. Would you keep those appointments for men promoted from the Provincial Civil Service. or would you also appoint to them from the Bar?—As long as I have a man in the Provincial Civil Service fit to promote, I should promote him. If I could not get one from there I should have no objection to taking one from the Bar.

29795. You consider that it is important for a Judicial officer to have a certain number of years of Executive training ?—I consider that it is more than important; I should say that it was essential

29795. You propose that when an officer decides for the Judicial branch be should go to England on study-leave?-Not at once. I should like him to do the ordinary work of a Subordinate Judge, from the point of view of civil work; and I would givehim the criminal powers of an Assistant Judge 29797. You would give him experience in

India first?-Yes.

29798. Before he went to England on studyleave?-Yes. The points of law one has to deal with in the original Subordinate Judges' Courts are very few indeed.

29799. Yeu do not suggest that men should come out younger than they do now ?- No. 29800. You do not think that the present age

of twenty-five is too old ?-I came out at twenty-

four, and I did not feel too old. 29801. Do you think the present age of twenty-five is too old?—I should prefer to go back to the age of twenty-four. I want my man to do a full Honour's course at Oxford or Cambridge, or at any other University: and I want them to-have a year's probation. That works out at never. less than twenty-four.

29502. How would you regard a system under which candidates would be recruited at the schoolwante communes wom to receive at the sector-learing age 7-think you would revy much reduce your field of selection. The ordinary lost leaving steed has not the least idea as to whether he would like to go to India or not. A great many men-who come out here, and do well, only decide to come-out here when the list of successful candidates in published. I think that you would be restricting your field unnecessarily.

29803. You have probably heard the suggestion that scholarships should be established for the purpose of sending young boys home for a public6th March 1913.1

Mr. L. GRAHAM.

Continued.

school education?-I think it would put them in a very parapered position. Are you going to guarantee them employment? I think to take a boy and tell him "Your future is assured," would

demoralise him. 29804 You do not favour the proposal ?- No, not at all. I think that is just about the age

when a boy ought to understand that he has got to earn his own living. If he is told that his

future is assured it must be bad for him. 29805. In your answer to question (61) you object to the present system of Departmental Examinations that "Owing to the system of allowing seniority to depend in the first half of a man's service on his performance in them, men come up for them too soon and pass with crammed knowledge," What would you suggest to remedy this?-I have made a suggestion that "Mea should be required to pass this examination not earlier than eighteen mouths, and not later than three years after their arrival in the country. I have also suggested that all papers should be set with books to test whether a man can use his Codes. I do not want him to know his Codes by heart. I think he should know what sections of the Land Revenue Code he may have to turn up. It is essential that he should have his book before

bim. I would set imaginary cases and say, " Now, num. A would see imaginary cases and say, "Note apply the proper section; flut it, and apply it?"

29808. You think that the proportion of the superior posts should be increased in the Prosidency?—What I have said exactly is that we have made mistakes in recruiting. I do not say that the proportion of superior posts should be

increased.

29807. It amounts to that, does it not?-Not quite, I think. Actually, I think, I am going to reduce the number of superior appointments. 29808. The appointments which you suggest

should be created in answer to question (94) are not regarded by you as superior posts ?-No; I regard those as inferior appointments, and I have made that clear in my answer to question (103). I have said that "The definition of superior appointments san one are configured a superior appointments should be changed so as to include any appointments lower than those of Collector and District Judge of the lowest grade."

29809. Will not the creation of the appointments, which you have mentioned at the end of your answer to question (102), and which you say are not superior appointments, rather increase the difficulties now experienced in increase the difficulties now experienced in colculating the cadre?—I must confess that I am not an expert on eadre, but I thought I am not see expers on courty out I thought that I had made it quite plain that those appointments would not be superior appointments. The difficulty, therefore, would not arise. I cannot give an answer straight away, but that is my

impression. 9810. The first-grade Assistant Collectorships should be made the superior appointments, should they not, and should earry really superior pay?—
I do not think they should be superior appoint-

ments, certainly not.

29811. But does not their present anomalous position lead to a difficulty with regard to the cadre ?-I am not an expert of cadre, but if you made these inferior appointments I suppose you would have to revise your proportion between superior and inferior appointments. Will not that get you out of the difficulty?

29812. You would enlarge the number of interior appointments?—Yes, it would be that.

29813. Will not that lead to still further stagnation in promotion ?-I should not like to say.

29814. You would like to see the 4 per cent. deduction towards pension given up and put in a Benevolest Fund?--Yes.

29815. Would you retain the £1,000 pension just the same ?-Yes. I think a four-figure pension

is essential for the prestige of the service.

29816. Is the Benevolent Fund, which you suggest, to be a common fund, or will it be an accumulated fund for each officer, to come into his possession at the end of his service?-I have recommended the same provision as the Railway Provident Fund. I know that officers are satisfied with that. My impression is that each man takes out what he puts in, plus accumulated interest. It is all worked out, out and dried.

29817. When an officer retires, whatever sum is to his credit becomes his own property or the pro-perty of his family?—Yes; or if he dies before he

retires his widow gets it.

29818. You say that officers who on completing twenty-five years' service have not reached the rank of Commissioner or First-Grade Judge should retire automatically ?—Yes.

29819. Might not that work rather hardly in some cases on officers who are not selected for these high and responsible posts ?- I suppose they have earned their full pension, and it is no use keeping them on,

29820. You do not think that they could be

doing useful service in subordinate positions?—My impression is that it is done regularly in the Indian Army. A man who does not become a Colonel at a certain time retires. I think the same applies to a Major, but I am not sure. It does away with all the unpopularity of supersession and compulsory retirements.

29821. But such higher posts would be in a somewhat different category from those in the lower branches in which the question of efficiency lower principles in wheen one question or concerned; is concerned?—Not quite. A certain number of men who are Collectors are passed over for Commissioners, and they are told they never will be Commissioners, and they hang on.

29822, You mean that they would not be useful Commissioners ?-It is rather difficult to say. I have certain cases in mind. A man is not disposed to work so hard when he knows that there

is no promotion in front of him.

29823. (Sir Murray Hammick.) The ap-cintment of Assistant Remembrancer of Legal Affairs is one of the superior appointments, is it not ?—Yes, it must be.
29824. Who is the Remembraner; he is an

Indian Civil Service man, is he not?—Yes.

29826. I suppose he is included in the list among the Judges?—Yes. Ho may be a Third Grade Judge. If you appoint him a Remem-brancer be goes up into the first grade.

29827. As regards the suggestion that you should increase the number of inferior appointments in the cadre of the service, I suppose you ments in the caure of the service, I suppose you have not studied the question of the way in which this cadee was drawn up?—Not at first hand; but I think this difficulty will be saved very largely by the time scale.

29828. In the junior ranks of the service?-My time-scale goes up to 11 years, practically up to the time when a man may expect to act as Collector or District Indge.

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206

29829. No doubt things would be changed, and I daresay very much improved, by a timescale; but, of course, you would have to work out the expense of your time-scale, which, I imagine, would be very considerably above the cost of the existing scale of the service. I do not understand what you mean when you say that "All junior what you mean when you say the and passed officers should be placed on time-scale and special appointments held by such junior officers, e.g., those of Joint Judge or Assistant Judge with full nowers in the Judicial Department, and those of Settlement Officers, Superintendent of Land Records or Registrar of Co-operative Credit Societies in the Revenue Department, should carry special allowances. I would also treat the appointments of Under Secretary and Assistant Legal Remembrancer in the same way." I suppose what you mean is that all officers coming into the Civil Service should draw the time-scale pay from the time of their entry into service, and that these few special appointments should, in addition to

their time-scale, carry extra remuneration in the shape of a special allowance?—Yes. 29830. Of course that system amounts to altering the system of recruitment entirely, and would be quite opposed to the cadre of the service which may be right or may be wrong; but it would take a very long time to go into that question. I suppose you recognize that your difficulties in Bombay have arisen, so far as I can understand,

simply because your number of superior posts were originally not fixed sufficiently large to give sufficient promotion to men holding inferior posts; is not that the case?—The cadre is a complicated question, and I am not in a position to be examined upon it.

29831. Coming back to your answer to question (9), you are not prepared to go beyond listing more posts as a means of the entry of Indians into the higher appointments: you would not do anything more than that ?-No

29832. Do you think that taking such a course as that, would, in any sense, satisfy the desire which has been generally expressed by the higher classes in this country for a better proportion of the posts in the higher posts of the country do you think that would satisfy that demand?—You say "a better proportion." I can extend my system of

listed appointments. 29833. But even with extending your system of listed appointments up to any number, do you think it would meet this feeling which exists for higher appointments in the Civil Service?-I

think it would meet it sufficiently.

29884. Of course you do not suggest that the character of your listed appointments should be altered in any way. But you would be prepared to alter the character of these appointments by placing them in grades so that a man who holds a listed appointment could rise higher than the mere appointment which he has been given?—You mean that if I list three appointment which he has been given?—You mean at if I list three appointments of Judges I should grade them?
29835. That would be one instance, to give a

man the lowest grade of the appointment and to let him rise to the highest grade of the Judges?— As far as I know that is what we do in Bombay.

29836. He does not get any right to get any-thing higher than that?—A man on a listed appointment can go up to the First Grade Judge-

He could not, for instance, be a Legal Remembrancer?-That is rather a complicated

question, because the Legal Remembrancer is also ecretary to Government.

29838. He could not be Judicial Commissioner in Sind?-Those appointments are not listed. The Judicial Commissioner in Sind is under the Sind Courts Act, and listed appointments can only be taken from the schedule of the Service Act of

1861. 23889. Would you be prepared to consider an arrangement by which the entrance of Provincial Civil Service men into the Indian Civil Service would be real and not merely to special appointments ?-If you mean whether an Assistant Judge could rise to the High Court, he could not do that the High Courts' Act. If, however, the men were good enough, I would not mind it at all.

20840. In any case, you would be against a system by which you took men altogether by examination, or nomination and selection, into the Indian Civil Service itself from the bottom and allowed them to rise to the top?—I think it is not

nearly as good a way as promoting from the Provincial Service.

29841. You think that far the best way of meeting this demand is to use the Provincial Service?-Yes.

29842.

You are against lowering the age to eighteen or nineteen ?-Yes 29843. But you would lower the age slightly

in order to bring out men at a slightly younger age than they come out at now?—Yes. I cannot see any need for that extra year which was put on

two or three years ago.
29844. Would you make it a condition that a
man who went up for the open competition should have taken his degree at any University?-No. I think it is desirable; but I would not make it a condition

29845. You would fix the age so that he should have an opportunity of passing through the ordi-

nary course there?—Yes 29846. You would stick to one year's training

in Bogland?—Yes.
29847. Would you make him spend that one
year at a University, or in London?—I have given reasons for their not spending it in London, I said that they would never meet except in the classroom if they were in London. They would be swallowed up in London, and that would be most undesirable.

29848. Would you insist upon their spending this time at the University?—Yes, I have said so.

29849. Surely, if a man has taken his degree at the University, there is not much object in keeping him there for another year, is there?—I cannot see why not

29850. I have heard it said by a good many men who come out now that they have had enough then was come out now that they have gone in for the examination, that the last year at the University is not a profitable one, and that the fourth or fifth year is wasted?-I entirely disagree with them.

29851. You do not agree with that view?-

Certainly not 29852. As regards the benefits to the service, you have seen the list of proposals which has been sent in to us?-Yes.

29853. Do you adhere to them?-I think I have made certain modifications; but, on principle, I would adhere to them

29854. What modificatious have you made !--I think I have altered the time-scale

Continued.

29855. Anything else?-Head 2 deals with this cadre question : that is all right. Head 3 : That is right. Head 4: I do not think that is quite the same, but in principle it is the same. A matter of Rs. 100 or so does not matter. Head 5: I think I have actually included that, Head 6: I think that is a very sound idea, but I have not actually included in it in these proposals of mine. Head 7: I agree with that. Head 8: I agree with that most emphatically. Head 9: Is sound. Head 10: Yes. Head 11: I attach special importance to having medical attendance on wives and families. The Army has it, and I think we should have it. Head 12: On the whole, I think, is impractical.

29856. Are you familiar with the rules of the

Railway Provident Fund ?-Not in detail. I once lived with a man who was on the Railway, and I had an idea of what his prospects were.

and an nead of what his prospers water.

29857. If you retain your full pension of
four figures, which you rely upon as of such great
importance, in addition to having a fund such as
the Railway Fund, it would be a very costly thing for the Government of India, because in the Rail way Fund, which I know of, the Government contributes equally with the Railway servant?—I think if that would be too costly it should be reduced : but I do not see that that is any reason

why I should not ask for it.

29858. It would be a reason for not recom-mending it. It would be a considerable increase on the £1,000?—The request might be modified if it were considered extravagant. We do feel that a man who pays his 4 per cent. and dies, leaves his widow in a very unfortunate position.

29859. That is true, but if the Government of India put an end to the contribution of the 4 per cent. but allowed civilians to fund that at compound interest and at the same time continued the pension of £ 1,000 a year, do you not think that would be the biggest concession you could ask for?—I should say "Thank you," certainly.

29860. (Mr. Madge.) In answer to question

(13), you think that a period of not less than four years, and a preferable one of six years, should be spent in the performance of the general daties of Assistant Magistrate and Collector when a young civilian first comes out ?-Yes.

29861. Do you say that because you think he acquires a very valuable experience which would he of use to him in the matter of the branch of the

service he goes into ?—Yes. 29862. Would you object to its being extended to a longer period than six years?-My reason for putting it, more or less, at six years is that if a man goes into the Judicial service at six years, and then another man comes in at eight years and is going to be considered superior to him because be was superior to him before, you engender discontent in the service. Therefore I would have some limit.

Supposing the period of bifurcation 29863. were fixed above three years, it would remove that difficulty?-Yes, but let us fix a period.

That is all.

29864. Have you had any means of judging whether in the Provincial Judicial Service the absence of this general experience has any effect upon the work of officers?—They are men of the country to begin with, of course.

29865. Of course they may need local know-ledge less than Englishmen coming out, but in other respects ?-I do not quite follow your point.

29866. You say that you find in the case of a civilian coming out that his first six years' experience is very valuable?—Yes.

29867. To put the question in another way, do you think there is something in the experience of the Provincial officer which makes up for this general experience in the Executive line?-Unless he is living in large towns he starts with a pretty good knowledge of the country. If he lives in Bombay he would be very nearly as ignorant as if he came from London

29868. So that there may be defects even in the Provincial Judicial officer, although he belongs to the country, from his want of that general knowledge which the civilian picks up by exercising both Executive and Judicial functions in the first six months of his career?-I think, on the whole, it would be rather an exceptional case

whole, it would be rather as exceptional case.
29869. In your answer to question (47) you
make some statements the meaning of which I
should like to understand. You say "The spectacle of a man with a first class degree living in mean on a man when a new class degree living in mean lodgings and taking pupils in order to support himself during his term of probation as a serrant of the King is not edifying." But you have heard of Scotch tutors and others who ske out their income by teaching Greek and Latin and Mathematics and all that, and who may come out finally anything but men who have degraded them-selves by that kind of thing?—I do not say that serves by same and or song :—A so how say that it is degrading to the men themselves; I do not think it is edifying. I do not think it gives the idea that the service is well paid, or that you are

well treated when you get into the service.
29870. But if you mean to pay a man instead of allowing him, when he can do so, to increase his income by self-help, do you not think you conspire rather against his character, which is essential for success?-The fact of his getting into the service is a proof of his capacity for solf-help. He should not be called upon to exercise that after he has got

into the service. 29871. You say, "Nor is it desirable that men should be in debt on arrival in India". The impression which I have gathered from other witnesses is that debt increases because the young Civilian is not sufficiently paid, and not that he usually arrives here in large debt. Is that your experience?-Yes. The commonest way for a young Civilian to raise money when he gets into the service and finds that he is not adequately provided for for his probation, is to insure his life, and borrow upon the policy. That is very common 29872. In answer to question (64) you attach some importance to Bar examinations. You do not agree with the opinion which has been given here by influential witnesses that the Bar examination is of nominal advantage?—The passing of the Bar examination does not give a definite idea of a man's capacity for work in a Court of Law-In the course of reading for the Bar examination a man, who is at all a man, will attend good lectures, and actually educate himself above the standard necessary to pass in the examination, though I think he would require to do his best to get a First-Class.

hret-Class.
29873. (Mr. Fisher.) Will you tell me what
your University was?—Oxford.
29874. What did you read at Oxford?—I
read what is called "Hoxour Mods and Greats." 29875. You took the classical course?—Yes. 29876. Looking back at your course at Onford

and your year of probation, do you think, deliber-

208

ately, that it was the best possible preparation for your career out in India ?—Yes.

29877. There is a great deal in your classical course. It is very general in character, and it has been of use to you?-Certainly. It has taught

me to think. 29878. Of course it is not the only University

coprse ?-No.

Would you consider that a candidate 29879. who got into the Indian Civil Service Examinawho got his the folial through courses of chemistry and mathematics had undergone an equally estisfactory prepara-tion?—I think that is rather a difficult question for me to answer. One naturally has prejudices in favour of one's own studies. I was going to say that he is almost certain to have a difficulty in learning languages.

29880. I gather you to support the one year's

robation?—Yes.

29881. What positive good do you think you derived from your one year's probation?—I was introduced to my Codes, and I was introduced to Marathi.

29882. Did you make any satisfactory progress in that one year?—I found when I got out here that I could make myself understood in Masathi. The fact that I was grounded in one language did bely me in the learning of the second language

most distinctly.

29883. It has been represented to us that the legal training given in one year must necessarily be very insufficient?—I think it is enough, when you come to consider the comparatively unimport-ant nature of the legal work which is first entrusted to the newly arrived Civilian. say that I heard no cases until I had been in the country for four or five months, and then they

were merely third-class cases.
29884. It has also been submitted to us there is very little in the University corriculum, or in the in very little in the Chriversity life, which impresses the undergraduate with the importance of his future calling in India: would you agree with that ?- If you mean the whole time of his Oxford or Cambridge career, in many cases he is not thinking about his calling in India because he has not yet decided upon it. I do not think India is very

feeribly impressed upon him when he is at Oxford. 29885. Did many of your contemporaries who sat for the examination have a real desire to go to India, or were they simply taking the examination faute de mieux?—I should not call it faute de mean. It is an excellent thing, about the best young men could do. They do not actually

determine until they get to that stage. 29886. It is your impression that the service was distinctly attractive to your contemporaries? Yes, to certain types of my contemporaries. Certain types of men will never want to go to India.

29887. You do not think that the variety and diversions of University life are too distract-

ing?—For what?

2988. For the future Indian Civilian?—I
do not know. The more variety, the better for him: the less narrow he is likely to become

29889. We have heard a good deal of the University candidate coming out with preconceived ideas ?- I do not know what that means, 29890. Is it your view that the University

life makes tope more prejudiced, or makes them more critical?—I consider that I came to India with an absolute prom mind, with no prejudices. 20801. You have grown your perjudices, here?—I imagine so, if they are prejudices.

29892. You did not come out with the prejudices of the University of Oxford ?- I thought you said in relation to India

29893. Not even in relation to India?-No.

But do you really think that it would be impossible for us to recommend any scheme of training and probation which would more directly increase the efficiency of the Indian Service?-I

think it would be quite impossible. 29895. (Mr. Macdonald.) I should like to ask you one question so that I may be able to value the opinion which you have expressed otherwise.

Do you still say that " the spectacle of a man with a first class degree living in mean lodgings and taking pupils in order to support himself during

his term of probation as a servant of the King is not edifying ?—I do so from the point of view It is not a disgrace to the man; of the service. it is greatly to his credit. 29896. It is not edif-

It is not edifying ?—No. (Sir Theodore Morison.) With regard to the period of probation, do you think that it is advantageous to spend it at the University ?-Yes. 29898. Even if a man has already been three

years or four years as the case may be?-Yes. 29899. In what respect does be gain? We have heard a good deal against it. We have never heard that an additional fourth or fifth year at the University is of much advantage to a man who is already saturated with Oxford or Cambridge?— I think it is a good centre in which to get them and bring them together. They do live a sort of

29900. De probationers live a common life?-Yes. My only experience is that to a large extent they do. Certain men de not get assimilated, but you certainly make new friends in that year. a large extent you drop out of your college friends . and you make new friends.

29901. Those who are going to be associated

with you in India ?-Yes.

29902. They are distributed over the Colleges, are they not?—Yes, they are: but at that time of your University life you are not living in the colge. Most of the men of your own year have gone down, and you do associate with these new men, and you come to meet with men in other Colleges whose existence you have never known of before.

29903. To what extent do you find, now you have passed the examination, and come into nave easet me examination, and come into contact with new people, India looms large, and Indian studies? Do you not still very much go on with your previous way of life, and you previous interests?—I found my last year very different from my other years, partly because my friends had gone down, and I made new friends who were going out to India. I went to lectures with them in the morning, and I rode with them in the afternoon.

29904. It has been recommended to us that Indian subjects must always be "side shows" at Oxford or Cambridge?—At what stage, do you

mean in your preparation?

29905. Even in your preparation. It is said that Classics and Mathematics are so important that you cannot give very serious consideration to the study of Maréthi?—I do not know what outside people who are not going to India think about our studies. We take them seriously enough.
29300. We have had a great deal of evidence

to the effect that it was a year of recuperation ?-Yes within limits, but you must not take too many · subjects.

Mr. L. Grahan.

[concluded.

29907. (Mr. Heston.) I see in the printed proposals for the service that a certain allowance is suggested in addition to the game tay for Joint and Assistant Judges. It suppose the idea is that those allowances should be made even though that grade may were replaced by a time-scale?—I have actually made that proposal in my printed sarvers. 29008. In your allower to quarter may be compared to the proposal of the

29908. In your answer to question (2) you say,
"With reference to existing appointments the
principle that the transfer of an appointment from
Imperial to Provincial shall not take effect to

the prejective of members of the Imperial Service must be rigorously observed." Have instances occurred in which appointments have been under to their projective 2-A case arose last year in which we considered that the appointment was made to our projective, but it was not exactly on all fours with this.

20909. You think that the welfare of the service ought to be borne in mind?—Yes; it must always be borne in mind.

(The witness withdrew.)

Khan Bahadur Saived Shamsuddin Kadri, 1.5.0., B.A., J.P., Oriental Translator to Government.

Written answers relating to the Indian Civil Service.

29910 (I). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Serrice I to you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination for the Indian Civil Serrice is generally satisfactory in principle, but it requires a slight modification.

29911 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Better results might be achieved if it were possible to qualify the present unrestricted competition by previous selection.

29212 (b). Do you consider that the combination of the open competitive examination for the Home sooi Colonial Civil Services with that for the Indian Civil Services with that for the Indian Civil Services with that view the service of Lordan Interests? Please gire your reseases?—The combination of the open competitive examination for the Home and Colonial Civil Services in the advantage of Lordan Civil Services is to the advantage of Lordan became it affords a writer field for the selection of more expelsive men for the Indian Civil

2013 (6). If you do not consider the present system of recruitment by an open competitive axamination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Schedion by authorities in Universities approved or otherwise: (b) Schedion by authorities and selection under the orders of the Secretary of State: (c) Combined nomination and examination: (d) Any other method?—Nomination of candidates for the competitive examination after a careful injury into their family history and social states by a special Board coastituted every year would lead to the selection of men who would combine intellectual efficiency with respectability of character and position.

2014 (7). What is your opinion regarding a

system of simultaneous examination in India and in Engiand, open in both cases to all natural-born subjects of His Minjest?—The India Citil Service would less much of its importance and attanction. If it were to be recruised by a system of simultaneous examination in India and in England. The system is also nuwerfalle because at present there do not exist such facilities.

ties in India for superior education and prelimipary training as are available in the British Universities; and even if, in course of time, some of the facilities do come into existence, it would not be possible for Indians to receive in this country that general training in accordance with Beropean standards and ideals which they now get in Ragland. It is essential that the Indian Uril Service should be imbased with Western ideals and Western cultaro. This disparity in training would accessfully produce two different guades of cificials, and it would prove detrimental to that feeling of Interprity which crisis at present amonges all Civilians irrespective of casts and resolution.

28916 (S). Are you in favour of holding this eramination simultaneously any other centre or centres within His Majesty's Dominious F-I am not in favour of holding this esamination simultaneously at any other centre or centres, except London, within His Majesty's Dominious.

29916 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadro by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Recruitment by means of separate examination in India is no less objectionable than the one by means of simul-taneous examination. The Civilians who pass in England, whether English or Indian, would not look upon those who pass in India as their equals, and the system of separato examination even for a fixed proportion of the vacancies in the Indian Civil Service would unnecessarily invidious distinctions accentuate accentante invintous distinctions between Buglish and Indian Civilians, which would be highly undesirable. The proper course would be to make the Provincial Civil Service more attractive by improving its status and by filling a certain number of vacancies in it by competitive examinations.

2007 (10). If you do not approve of simultaneous or separate examinitions in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Uvil Service by means of (e) nomination; (i) combined nominations and examination; or (c) any other method: If so, phase describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle—In case, it's decided to obdite to the

6th March 1919.]

Indian Civil Service a certain number of Natives of India otherwise than through a competitive examination in England, the system of combined nomination and examination would be more untitable than the others proposed. It is exceeded that the others proposed the acceptabilith that all classes and communities should be adventely expressed. This can be effected by offering half the number decided upon for an open competition and by authorising Local Governments to fill the other half by the zonituation of carefully selected candidates from rayrous communities.

20038 (12). Would you regard any system of election in India which you may recommend for poing men who are "Natives of India," as being in line of, or as supplementary to, the present system of premoting to "India," as officers of the Provincial Civil Services. If the farmer, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services.—Inducted of adopting any of the alternatives proposed in this question, is would be preferable to pround experienced officers of proved ment and ability of the Provincial Civil Services 2007 provides the provincial Civil Services 2007 provides the provincial Civil Services 2007 provides the provincial Civil Services 2007 provides the provincial Civil Services to "listed" pusts.

Frontieus trin cervice or "user, by a 29919 (19). It the system of recruitment by open competitive examination in England is refusive, fluste state the age limits that you recommend for candidates at such examination; giving your fail reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education 3—The age limit may be 21—23, with a two pears' probation, of which one year should be speed in Linius by English Civilians to study the customs, labrits and names of the Naivres of Lofa and to acquire a sound practical knowledge of one of the renaculars of the Presidency to which they may be proted. The preliminary training would prove usfell to them on their joining the service. In the case of Linius Orvinaus, the whole of the probationary period should be spent in England. 29900 (18). What is the most straining on a straining of the case of Linius Orvinaus, the whole of the

29920 (18). What is the most suitable age at which junior Civilians should arrive in India?—Twenty-five is the most suitable age at which junior Civilians might arrive in India.

20021 (19). What age limits for the open competitive somulation is Raighedt would best still cardidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty!—The age limits for the open competitive canamisation in Raighand should be the same for "Natives of India," as for other natural-born subjects of His Majesty. There is no reason for any differentiation.

See22 (24). Do yet consider that a minimum proportion of European solicits of His Majesty should be employed in the lighten posts of the should be employed in the lighten posts of the should be employed in the lighten posts of the post included in the Indian Grill Service Cation to you consider that "Natives of India," makes under present conditions, properly be minimum propriation of European arbitration of European arbitration of European arbitration of European arbitration of European comments and propriate the History European element should proposedential. Under present conditions, "Matrices of Linia", and Under present conditions, "Matrices of Linia", and the European element should proposedential.

Es .

might properly be admitted to about 20 or 25 per cent, of the posts included in the Indian Civil Service Cadre,

29923 (39). Do you consider that the old system of appointment of "Statutory Civilians" under the Scatte of 1876 should be revived and, if so, what method of recruitment would you recommend 1—The old system of appointment of "Statutory Civilians" does not deserve to be revived.

20924 (34). Are all the posts thus listed, ordinarily and regularly filled by "Natives of Ladie"? If no, please state for the last fire years to what extent there have been any failure to work up to the extherized list, and explain the reasons f.—The post of "Mukhdir Sediement Officer listed for members of the Provincial (701) Service, has of late been held by a member of the Indian Office Private (1971) Service.

2095 (88). Has the nowe to fill one-marker of the listed posts with "Nature of India" other than members of the Provincial Civil Service Statetory Civilisan been ordinardly and regularly exercised I Into, can you give the resease for this, and do you think it advisable that the power should be utilised and in what directions?—The number of "listed" posts is too small even for the Provincial Service.

2920 (88). It the class of posts listed suitable? If not, in what directions would you suggest say changes and why?—The class of posts listed is suitable but the number is rather small and there is noom for a further increase.

28087 (45). What should be the dissiplied of the probationer's curse in Bagdand (c) under the present system of the open competitive examination, (b) under any modification of that explain restrainments by you I-Tub dentation of the probationer's course abould be two years, of which one year should be speat by European Christians in India, The Indian Girilians should spead both they purse in Brighest.

Spend bolt New years in Breghard.

2993 (55), In particular, please state your
opinion as to the desirability during the period
of probation of (i) compulsory attendance at
IAW Courts in Begind and reporting of cases;
(ii) the teaching of Indian Law in addition to
the general principles of jurginquence; (iii) the
teaching of the Grasumer and text-books of
Luian languages with or without any attempt
at colloquia instruction; (iv) the teaching of (o)
Indian Geography, (i) Political Recomp, (o)
Accounts [—(iii) A good, collequial knowledge
should form the mess important part of the
study of an Indian language. Please or in overversation is of greater practical willip than a
technical knowledge of greatmer and text-books.

ceedinica atomicogo of grandma na dexa-sousa-29929 (33). Do you consider that the probationer's course of instruction can best be sport in Bugland or in India R-A portion of the probationer's course of instruction can best be sport in India by Englishmen and the whole of it should be sport in England by Indians.

20000 (5d). What is your opinion of a recognic locate at ones mitable place in Leafa recognic locate at ones mitable place in Leafa coaling the the senions of probationers of the Lutien Civil Services and nessly of other Luties arranges postulated in Rightard 1—Instead of starting. College in Inside for the tenting of probationers of the Insiden Civil Service it would be better to allow found Covernments to make arrangements for the proper testings of justice Civilians according to the requirements of senior Province. Such a practical training would be a great help to them in their administrative work.

20031 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probatiness by sain-sible contress of instructions for the whole or portions of the first two years of service at some stifiable centre? — Even now, probationers do caceive some training but more systematic arrangements might with advantage be made for their practical training. Although insight into the details of their work would lead to greater efficiency and better administration.

29838 (59). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1903), the view is taken that the preliminary training in Oriental languages and in law required by probationars can be given better in England than in India, because of the difficulties within junior drillans would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of over good Indian teachers appreciating the European student's point of view, and the difficulty of aroons study in a tropical climate. Do you consider that these objections could be much by a similate scheme of instruction in India Tunior Civilines can acquire a better and more practical knowledge of Indian verture. Cultimate the study can come into personal conduct with people who speak the languages and can prior it up more easily in all its purity and elegance. Practice will Edulisate bestude.

29938 (60). Are you satisfied with the present arrangements for the staining of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—There should be more systematic arrangements for the training of junior Civilians after they have taken up their appointments in India.

Before appearing for the Departmental examimations, they should regularly storad a Mininkidar's office at least for S mouths to story thoroughly the system of wilage and Tahaka accounts and to Issura the details of Mininkardyduties. Then they should attend a Senior Assistant Olderor's office to joint purgisterial work and go on four with him to get an insighting the open and Jamihandard work.

"99934 (6)). Is the existing system of Departmental examinations ustables, and if not, what change do you recommend ?—Under the existing system of the properties of the properties and the properties have to past two examinations jurious have to past two examinations, yield, the Lower Standard and the Higher Standard and the conver Standard can be abblished without and the Lower Standard can be abblished without any inconvenience or distartantage. The Higher Standard may with advantage be divisited into two parts, siz., Judicial and Berenum.

The junior Civilians would then find sufficient time to study carefully both these important benches of the administration. They should fitst go up for the Judicial group and six months offer passing the Judicial, they should appear for the Revenue group. A junior Givilian should be declared to have passed the Higher Standard examination when he passes in both the groups.

Refore appearing for the first part of the examination, they must pars a complicator test in the vermoular of the District. A good knowledge of the vermoular of the District. A good knowledge of the vermoular would be of gents use to the justice officer in hearing magisterial cases and in disposing of Revense work. It would also facilitate willage inspection. The village people are highly pleased with an officer who can talk to them freely in their own language and properly madestand what they say. Thus the knowledge of the District language and the manners of the people would be of immense advantage to the pusing of the property of the property of the property of the property of the property of the property of the property of the property of the property.

tration more popular.

29395 (83), Do you consider that there has been any deterioration in the knowledge of the Lodian languages possessed by mombers of the Lodian Geril Service? If no, what are the causes? Are you satisfied that European members of the Lodian Geril Service, attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remodied?—The Incombedge of Indian languages possessed by a majority of the European members of the Indian Civil Service is not quile satisfactor.

satisfactory.

After joining the service, they are so buys with Departmental Ecuminations and afterwards with their achieves that they cannot find satisfactor their for a carrolal study of the Inhian languages. After passing the compulsory test in an Indian language, over few few put their studies and therefore they cannot attain to an adequate preficiency.

25936 (53). Do you recommond any changes in the rules for the eccouragement of the study of Oriental languages, and if so, what changes "-The rules for the encouragement of the study of Oriental languages have been recently revised by Gorcamond and now there are better rewards and greater Invillies to make the study of Oriental languages once attractive, but it may be noticed that the examinations are optional.

29937 (88). To what extent are his functions of the officers of the Security and Judicial transchas of the Indian Ciril Service differentiated? Lang change distribute and, if so, in what directions?—Officers of the Judicial branch perform the functions of Gird and Sevicious Judges. Officers of the Executive branch are in charge of the revenue and magisterial work. The combination of these two functions is convenient to the people and economical to Government. The dash function has althority been satisfactorily performed and their separation would not only estalf an encourse, we work of public money but would materially weaken the administrative control of revenue efforces.

2938 (101). Tarning now to the cave of the Statutory Grillians and officers of the Provincial-Crill Services Isolating "History Toril Services Isolating" "History" ports, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same porte by members of the Indian Civil Services II not, what rate do you suggest for the various grades of the strices—"On account of a myhade increase in the cast of living and the European styling of Kiring adopted by most of the Indian officers in the superior grades of service, the salary of listed posts held by members of the Provincial Civil Service's Indian Provincial Civil Service's Study to the salary of listed posts held by members of the Provincial Civil Service's Study the residence of the Provincial Civil Service's Study the residence of the Provincial Civil Service's Study the salary of listed posts held by members of the Provincial Civil Service's Study the residence of the Service Study the salary of listed posts held by members of the Provincial Civil Service's Study the residence of the Service Study the Service Study the salary of listed posts held by members of the Provincial Civil Service's Line Service Study the Service

continued.

two-thirds to three-fourths of the pay drawn in the same posts by members of the Indian Civil Service.

20959 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest ?- Under the present system, the maximum pension that can be drawn by officers of the Provincial Civil Service holding listed posts is Rs. 6,000 per annum. The limit should be half the average pay during the last three years of the officer's service, subject to the further condition that such pension shall not exceed two-thirds of the pension drawn by members of the Indian Civil Service holding similar posts.

Written answers relating to the Provincial Civil Service.

Note.—All those replies refer to the Executive branch of the Provincial Civil Service.

29940 (I). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration? The general conditions which govern recruitment to the Provincial Civil Service are, on the whole, suitable.

29941 (2). Plesse supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations, to make for their alteration?-No. III of the rules for the recruitment of the Provincial Civil Service in force in the Bombay Presidency might be altered as under:— Vacancies will ordinarily be filled up by—

(a) an open competitive examination.

(d) selection of persons of high educational qualifications who are not already in Government service with due regard to the representation in the public service of different classes of the community,

(c) promotion of selected officers who are already in the lower division in the Presidency proper and in the subordinate service in Sind.

29942 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Most of the officers selected either by open competition or nomination have turned out successful and both the methods have proved equally satisfactory. In this Presidency the present system of direct recruitment is by momention. [Vide reply to question (47) for the system suggested by me.]

29943 (7). To what extent are non-residents of the Province employed in your Provincial, Civil Service? Do you consider that only resident dents of the Province should ordinarily be

recruited ?-As residents of the Province have the distinct advantage of possessing local knowledge, the recruitment should ordinarily be con-

fined to them

29944 (S). Are all classes and communities duly represented in your Provincial Civil Ser-vice? Do you consider that this is desirable, and what arrangements do you recommend to secure this object ?- It is essential that all classes and communities should be duly represented in the Provincial Civil Service. object is secured by the power of nomination vested in the Local Government.

29945 (9). What is the system of training and robation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The system of training adopted for officers of the Provincial Civil Service is practically the same as that for members of the Indian Civil Service and I would suggest the adoption, in the case of Provincial Service men, of the modifications recommended by me in the system of training junior civilians. [Vide my replies. of training junior civilians. [Vide my (54), (55) and (60), Indian Civil Service.

29946 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Pro-vincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Out of 86 superior posts only three are listed as open to officers of posts only shree are lasted as open to one or so the Provincial Civil Service of proved merit and ability, siz. two Collectorships and one post of Talukdari Settlement Officer. Of these three, the Talukdari Settlement Officer's post is at present held by a member of the Indian Civil Service. Consequently, only two posts of Collectors are left open for the Provincial Civil Service. At least 10 per cent. of the superior costs might be thrown open to the Executive branch of the Provincial Civil Service, including four Collectorships.

29947 (21). Are you satisfied with the present-designation "The Provincial Civil Service?". If not, what would you suggest?—The word: "Provincial" might be omitted and it might be called "The Civil Service" as distinguished from

The Indian Civil Service."

29948 (24). Are the existing rates of pay and: rading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—A reorganisa-tion of the first three grades in which the number of appointments is very small would tend to render the Provincial Civil Service more attractive.

29949 (80). Do you approve of the arrange-ment by which officers of the Provincial Civil-Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—As the salary of a few first Assistant Collectors bassalery or a few are Assistant Collectors likes, been raised to Rs. 1,200, members of the Pre-vincial Civil Service holding the posts of Collec-tors should get something more than Rs. 1,200. Saived SHAMSUDDEN KADRI.

form'inned.

They might be allowed to draw three-fourths of the pay drawn in the same posts by members of the Indian Civil Service.

29950 (43). Do you approve of the present eystem regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Circumstances have meterially changed since the pension rules were framed. Formerly £1 was equivalent to Rs. 10. Now it means Rs. 15. The maximum 163. 10. Now it means 163. 15. The maximum pension that officers of the Provincial Civil Service holding a listed post can draw is Ra. 5,000 (£900). Members of the Indian Civil Service get £1,000. In the case of the Provincial Service the limit may be resided to £500, so that, it may be roughly about two-thirds of that drawn by the Indian Civil Service.

29951 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—To avoid a block in the promotion of the junior members of the service, the rule about compulsory retirement at the age of 55 should be made absolute. In the case of voluntary retirement, an officer should have the option of retiring on full pension after 25 years' active service, whatever his age may be

29952 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your auswers to the above questions? If so, please explain them?-Instead of holding simultaneous or separate examinations in India for the recruitment of the Indian Civil Service, the Provincial Civil Service should be made more popular and attractive by iraproving listed for the members of the Provincial Civil Service should be increased. The Provincial Civil Service men practically do the same work as junior civilians and therefore those of them drawing Rs, 600 and upwards should be placed on the cadre of Assistant Collectors and graded together with them in the official precedence list as recommended by the Public Service Com-mission of 1886. The recruitment to the Provincial Civil Service should be one-third by an open competitive examination; one-third by the nomination of qualified men by the Local Government with due regard to the representation of all classes and communities; and one-third by selection from the best men of the subordinate service. This system is likely to satisfy the aspirations of the intellectually superior class of Indians without giving any undue preponderance to any particular community, and it would, at the same time, be an incentive to greater efficiency on the part of the subordinate service.

## Khan Bahadar Saiyed Shahsudden Kader, called and examined.

29953. (Chairman.) You are Oriental Translator to the Government ?-Yes.

29954. You would like to see coupled with the

20054. You would like to see outpied with the present spen completive examination a system of selection I—Yes. In my answer I refer, of course, to open competition in England. 20055. You are opposed to simultaneous examination I—I am stonely opposed to it. 23096. One of the grounds for your objection being that you consider a training in England essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that, I am atraid essential I—Yes. And heades that I am atraid essential I—Yes. And heades that I am a traid of the III am a traid o that open competition in India would work with great inequality. It would exclude some important classes of the community, and would give undue

advantage to others. 29957. Do you think that many Indians would be successful in such an examination in

years to come?-I believe so.

29958. You also oppose the suggestion for a separate examination in India ?—Yes, I do. because that would produce two different grades of officers, some passing in England and some passing in India. I do not think that that would keep up the prestige of the Civil Service as it is at present.

29959. Do you think that the present system of one examination in England is offering adequate opportunity to Indians to enter the Civil Service? -Of course, it does afford adequate opportunity to those Indians who can afford to go to England. I do not think that those who cannot afford it should aspire to it.

29960. What view would you hold about the establishment of scholarships to enable Indians to go to England to get their education?-It depends upon whether it was only a question of powerty.

If a man has ability, but is too poor, I do not
think he should be encouraged to go. What we
really want in India is men of social position and status, these who are fairly well-off and can well

afford to go to England. Such people should come out to India to rule. 29961. Do you think that if scholarships were

offered to boys of fourteen, there would be many Indian parents who would desire to take a lyantage of them ?-I believe so. If there are scholarships, Indian parents will take advantage of them.

29962. If more Indians are to be employed in he public service you would prefer to get them by promotion from the Provincial Service?—Yes, I should prefer that very much, because by doing that Government would get men of proved men't and ability, men who have experience and who have gone through details of the office, and know the routine very well. They would prove more capable and more efficient officers. As regards their character and respectability, there would be no doubt, because, during the course of their service, they would have been sufficiently tested.

20963. What would be your view of the proposal which has been made to us by some witnesses that there should be substituted for the present "listed" posts system a system of direct promotion from the Provincial Civil Service into the Indian The same recovered own between the cue in him the same thing, because Indian Civil servants ultimately go to Collectorships, and if they are amalgamated I do not think there would be any Men of proved ability in the Provincial Civil Service may be placed upon the same list and ultimately rise to the post of Collector.

29964. So that you would favour the proposal of raising the pay of the officer in the "listed" ports to the level of that of the officer in the Civil or the seven or that of the others in the Civil Service?—I have suggested that, if possible, the pay should be at least three-foorthis of the civilian't pay. The present pay is quite inadequate, and is is not very attractive to the best men of the Provincial Service. Saived Shambuddin Kauri.

Continued.

29985. You would like "listed" post officers to be able to move by promotion and selection into higher posts in the Indian Civil Service beyond those which are now listed?—I do not think that that would be possible. If you reserve listed posts, and again give them that chance, it would be a double advantage. I would rather have listed double advantage. I would rather have noted posts; or, after abolishing listed posts or amalgamating listed posts with the ordinary list, raise them from the ordinary posts in the Provincial Civil Service to the Indian Civil Service, and let them have their chance in the ordinary course according to seniority and merit.

29966. I suppose the class of officer new in the Provincial Civil Service would hardly, in all cases, be the class of officer whom you would like to see in the Indian Civil Service?—It would be rather difficult no doubt, but there may be some cases. It would not be applicable, as a rule, but there may be some exceptional cases.

29967. Would you like to see the age-limit

of twenty-one to twenty-three reduced ?-Yes 2.968. And you would like to see the English civilian trained for one year of his probation in India and the Indian for two years in England?— Yes. If the English civilian were trained for a year in India he would acquire very practical and year in think would acquire very process and useful knowledge as regards the manners and habits of the people and be in a position to pick up very good knowledge of the Vernacular. 29969. You are not in favour of starting a

college in India for the training of probationers for the Indian Civil Service, but think that it would be better to allow Local Governments to make arrangements for the proper training of junior civilians according to the requirements of each Province?-That is the point. In each Province they have different needs and their requirements are different; and that training would be more practical. Whereas, if you start a college the danger is that they would learn more theoretical work.

29970. You think something more systematic and practical in character than is now the case could be devised for the training of European civilians?—1 es. I have suggested that if they were placed in charge of a Manlatdar's kacheri for three months that would be the best place for them to pick up practical work. Afterwards, if they go out on tour with the Assistant Collector

they would learn a real knowledge of district life. 29471. You think that that would be the most effective way for them to learn the language? -) es. It would be a very practical and a very easy way of learning the language; and it would give them a thorough insight into their out-door

29972. We were told by a witness this morning that the Collector is out on tour in camp for four months?—According to the rules, I believe a Collector is on tour for six months. It is optional, four or six months. They can go out on tour for six months if they choose. So far as my experience as a Deputy Collector goes, I can months. It is only during the monsoon that the officer is expected to be at headquarters; not

29,73. Do you consider it important that the eviden under training should be directly under the collector; or would be learn his work equally satisfactorily if the Collector deputed one of his officers to take him in hand?—I should prefer the .

junior officer to be directly under the Collector; but, for practical purposes, for a short time he might go out and work with the Mambat lay. He should, however, be under the direct supervision of

the Collector.

29974. You also suggest that the training of officers in the Provincial Civil Service should be improved ?-The rules for the Junior Civil Savant apply equally to the Provincial Civil Servant, and I think the same sort of training would be equally useful to them.

In your answer to question (24) of the Provincial Civil Service, questions you say "A reorganization of the first three grades in which the number of appointments is very small would tend to render the Provincial Civil Service more attractive?"-Yes, I believe so. The appointments in the first grade are only two; the remaining two grades are hardly in all ten, so that that is not sufficient.

29976. What would you suggest?-I would suggest that the first grade should be at least double; that there should be at least four appointments in the first grade of Deputy Collector, and about six in the second grade, and about ten in

the third grade.

29977. In your answer to question (47) with regard to the recruitment for the Provincial Civil Service, you suggest one-third by an open competitive examination, and one-third by nomination of qualified men by the Local Government; and then, you say: "This system is likely to satisfy the aspirations of the intellectually superior class of Indians without giving any ondus prepra-derance to any particular community?"—Of course, personally, I am not very runch in favour of competitive examination, because the system of nomination, as it has been going on in the Bombay Presidency, has been working very satisfactorily; but if there be an absolute necessity to hold an open competitive examination then I would allow one-third of the places to be recruited by competi-tion. Otherwise, the present system has been working quite satisfactorily. I have been watching it for the last fourteen years, and I find that the selection which has been made has been good.

29978. You think that the class of men recruited into the Provincial Civil Service is satisfactory?—Yes; and the selection has been with due regard to the representation of the communities. That is another reason why it is

more satisfactory.

29979. Do you think there has been a steady improvement in the men who have been recruited during the last ten years?—Yes, I should think so.

2#980. (Lord Ronaldshay.) Are you yourself member of the Provincial Civil Service?—I am. I have served as Deputy Collector and as Assistant

to a Commissioner for about ten years.

29981. How did you get into the service?

I was nominated by Government. Originally, I

Penartment. Wh. a belonged to the Educational Department. the Provincial Civil Service, was instituted I was nominated by the Governm nt; in fact, I was the first nominee of Government to the Provincial Civil Service in the Bombay Presidency.

Do you think the views you hold with regard to the question of simultaneous examination and shared by the majority of your community?—
I believe so. I am closely in touch with the
Muhammedans in Gujarat, and I am in touch with the Muhammadans of Bombay and the Deccan,

and those who are not selvoaces of the Congress held the same views as I hold. I have talked with several of the prominent members of our community and they are opposed 15 simultaneous examination. They sich to the opinion of the late Sir Saiyed Ahmed and Kari Shashouddin, members of the last Public Service Commession. They opposed it on tangethe grounds, and I

ling' oppored it to complete geometry, and a believe those geometr self thosh 19998. With negral to what you say in 29998, With negral to what you say in saver to question (2), this better results might be achieved if it was possible to qualify the present restrated completion by reviews selection, what had you in your mind when you came to that conclusion it and you anything definite? —Text I had something in your mind. You are warre that in India very great importance is attached to social status and respectability of family; and if it to possible to make sure that only more of respectable families and high social status in England estered the GVII Service, I think the administration would be a great deal more popular.

29984. What I want to find out is whether you had any reason for supposing that men of a different type have been recruited. You say that only men of respectable families and high social position ought to enter the service?—Yes.

28985. Have you any reason to suppose that the service is not entirely recruited from men of that class?—I do not meen to say that that is so but there may be some exceptions; and to satgmard eagainst clast I would rather impact that continue as no make sure that the people who are estacted archer right type of men. My reason for easing so is that Indians are a very sessitive rue, and the least roughness of meaners or want of civility anneys them much more than any hara. Therefore we want, for the satisfaction of the people and the administration, that men who are sympaticles and of good meaners and good herealty sould be set to India.

29955. With regard to your answer to question (43) of the Provincial Girl Service questions, you say "The maximum pussion that offices of the Provincial Circl Service hadding a listed post can draw is fits, 6000 (£100); and you contrast that with pensions which members of the Indian Circl Service got, namely, £1000, But have you could sight of the fact that members of the Indian Circl Service subscribe very largely towards their own pensions 1—Yos, they do.

own pensions:— 1.09, any us.
29987. Whereas, I understand that members
of the Provincial Civil Service make no subscriptions at all towards their pensions?—No, they
do not.

29988 So that the difference between these two pensions is not really so grants as it would appear to be by your answer [-1] beg to correct a discrept of in my written raphy. I find that Provincial Givel Services men causing get more than Rs. 5,00 . It is not Rs. 5,000. Rs. 5,000 is only for Statutory Orilinars; and Provincial Covil or Statutory Orilinars; and Provincial Covil Service people are not likely to get Rs. 5,000 they would not get Rs. 5,000, which would be much less than one-init the presion drawn by the members of the Judian Cwil Service.

ments assume operation to the parameters of the members of the Indian Civil Service with the members of the Provincial Civil Service who hald list-do pode were eligible for the same pension as the Stantory Civilian, str., Rs. 6,000?—It is not quite sufficient in my opinion. I think there should be some more increases. Some increases at least is necessary, because at the present time the prices of food and the cost of living have risen so high that I think there should be some allowance made for pension, and also because people in the nethod carries are not able to core much

notual service are not able to save much. 29330. I am not quite clear what you mean in answer to question (47) of the Provincial Civil Service questions. You say "The Provincial Civil Service men practically do the same work as Junior Civilians and therefore those of them drawing Rs. 600 and opwards should be placed on the cadre of the Assistant Collectors and graded together with them in the official precedence list." you place them on the cadre of the Assistant Collectors you are practically placing them, then and there, on the cadre of the Indian Civil Service, are you not?—That would be helpful. If Provincial men are to be raised to the post of Collector, it would facilitate their being raised to such an appointment, and the number would be so small that it would not muster much, nor would it come in the way of the promotion of As-istant Collectors. They would stand nominally on the list and get promotion only when their time comes for listedposts, not otherwise.

2000. Is that what you intended in your answer: would that be the effect of your saver? - Yes, ultimately these people may get the opportunity of rising to lasto-pe-t, and those who have not the prospet would continue to be Deputy Golloctors on the Provincial lists.

29992. Your o' jection to the system is that they are merged into the Provincial Civil Service?

Yes.

2998. (Sir Throdore Moriton.) In master to question (19) of the Provinceal Civil Service questions, you suggest that 10 per cents of the superior pasts should be thrown eyen to the Evecutive branch of the Provincial Civil Service?—1es.

29994. And you suggest that four of those posts should be Collectorship (?-1) es.

poss smant to Contectionally (\*\*)—(\*) 28995. What are the other four or five posts to be? —The list entains 86 superior posts. It would work to et ils appointment. The Tallackdir Settlement Officer's post, which practically belongs to the Provincial Givil Service, but which is now held by a member of the Joshan Civil Service. Service, and well service, and well service, and the service are supprintments of Superior Content of the Provincial Civil Service. There are appointments of Superior Service, and Service, and Service, and Service are there on the whole Presidency. I think these appointment is an well to be bell by Provincial men. The appointment of Registrat of the Cooperative Credit Services.

might well be bild by Provinceal men. 2996. You tink that something like eight or nine listed-posts might be given to them?—Yes, 2997. Would your opnion be that comething

29997. Would your opinion be that something might be done in the Judicial branch?—I suggest the same in the Judicial branch.
2998. Taking that in connection with your

nuswer to question (47), do I understand that if this were done you would consider this a satisfactory way of meeting the claims of Inlians for a larger state in the administration of their country? —It would be quite satisfactory to my mind.

23139. It would be satisfactory if there recommendations which you have made were carried out?—Yes.

30000. To what extent is that view generally shared in the Provincial Civil Service :—I think the Provincial Civil Service men would approve of it. 6th March 1913.]

And outside the Provincial Service ?-30001.

I cannot distinctly say. 30002. We have been told that the Provincial Service is a parish service and not looked at with any esteem. I want to know from you in what consideration it is held?—I think it is held in ceteem. I would certainly object to its being called a parial service. It consists of men of respectability and men of ability and experience, and men who are capable of doing as hard work

as any other officer. 90003. It is an honourable public service; and, if opportunities for more distinguished service were offered, you, as an Indian, would be satis-

fied?-Yes.

50004. (Mr. Chaubal.) How many years were on in the Educational Department?—I was for

you in the Educational Department.

2005. What salary had you in the Educational Department I started as a Gazetted
Officer on Rs. 150. My first appointment was a
gazetted one in the Educational Department. 30006. As an Educational Inspector ?-As a

Deputy Educational Inspector. \$0007. You had no experience of teaching in schools, I suppose ?—Yes, I had. Before that, I

worked for a short time as a school-master, also. 30108. From your experience, do you say that an Indian boy at the age of seventeen would not be more handicapped on account of English being a foreign tongue than he would at the age of

twenty-two? There are different ways of think-

ing about this. 30009. Speaking generally, as you know our Indian boys, and from your experience in the Educational Department, would you be prepared to endorse the statement that, taking the average, an Indian boy at the age of seventeen would not a foreign tengue than he would at the age of twenty-two [-I would not.

30010. For how many years was the system of admission to the Provincial Civil Service by competition in force in this Presidency ?-If I mistake not I think three years, by competition. 30011. It was in existence for three years?-

30012. And you know the men who came in by competition?—Yes I know them.

30013. Do you think that their social position

and status was not suited to their being brought into and state was necessariled to their purpose of the Provincial Service?—I cannot say that exactly, 30014. Then you are not prepared to say from any experience which you have of competition that it brings men "of inadequate social status and position" into the Service?—I must say that

there is a danger. 30015. I am not speaking of danger. I want to know whether from your own experience you can say that the system of competitions which was in force for three years resulted in bringing into the Strice men "of inadequate social status and position"?—I cannot say that they were inadequate. If you would allow me I should like to qualify my answer. Cne of them was not so successful as he ought to have been.

20016. That might be. I suppose the same

thing might be pointed out with regard to those

who have been nominated also? -- Yes.
S6017. What is it that you mean by "social

status and position"? Supposing there was a competitive examination for the Civil Service. What is passing in your mind when you say that it

is unsuited to India? Is it because you do not ensure the same social status and position?-I am not talking about other countries; but in India the genealogy of a man is very well-known, and Indians are more particular about the hereditary

position of a man.

20018. On what do you base it? Have you any experience of any person of "inadequate social status and position" having come in on account of any examination that you know of in India ?- It is quite possible that they might

30019. Take, for instance, the status of those persons who get into the Indian Civil Service by competitive examination in England. I suppose all, or, certainly, most of them, are of "adequate social position"? - Yes, I believe so.

30020. I think you will be equally prepared to admit that most of the Vakils who get into the Provincial Service, and those who get into the Provincial Service direct in the Rs. 300 grade, are of the same "rocial status and position"?-I cannot say definitely whether they are of the same social status.

30021. Not same but equal?—Perhaps so. Subordinate Service to Deputy Collectorships are also much of the same class : as a matter of fact the direct recruitment is hardly one a year?-That is so.

30023. The greater part of the recruitment is promotion from the Subordinate Service of

Mamiatdar and others?-Yes.

30024. I think, generally speaking, from your knowledge of men, that you would agree that the social position of these who are premoted from the Subordinate Service, and the social position. of

those who are at once recruited, is on the same level. Is it not?—Yes, generally. 30025. I suppose what you mean by having a a system of nomination is not because competition brings in men of inadequate social status, but because competition does not enable a propertion of different castes and communities to be adjusted?—Not only that. I have in my mind this idea, that there is a danger of men of improper social status coming into competition. there is a competition we cannot prevent them from coming in

30026. But that is a danger in theory, is it not? It is not a danger that you have seen?-

1504' It is not a onager' that you have seen ?—
I have not verified the history of the service of each individual in order to be able to say,
50027. You cannot point to enrything in actual experience which has justified that? According to your own view unless there was nomination exitain classes could not come in ?—That was not the reason which I had in my mind. 30028. In the highest Service, why do you

want nomination, I should like to know, when you admit that certain classes would not come in but for a system of nomination? I suppose you admit that they would not stand comparatively the same intellectual test as the others would ?-Yes.

30029. I want to know why for the highest Service (the Indian Civil Service, not the Provincial Civil Service) you insist upon, or advocate, a system of nomination which, according to your admission, brings in a lower calibre of ple ?-It is only as a safeguard.

30030. A safeguard against what?-A safeguard against a man of improper social status

entering the Service.

[continued.

30031. There, again, you have no facts to go upon about competition. We are now speaking of recruitment to the Indian Civil Service. You cannot say from experience that the open compecannot say from experience that this open compar-tition door in England has brought out men of whom you speak as having "inadequate social status and position"?—It would be rather a personal matter : otherwise, my argument is based upon facts. But I would not like to point out Cases.

30092. I tell you frankly that I do not want you to refer to any political unrest. I want to know about the past. Is anything passing in your mind with respect to class and caste and creed. Do you in the slightest degree find an exhibition of class bias amongst those who have returned, apart from other questions?—Not so perceptibly.

30033. Not so perceptibly! Are you prepared to say that you have seen any exhibition of caste bias amongst the Indian Civilians who have returned through open competition?-It may be unconsciously, because the ideas are rather

inseparable.
30034. Inseparable from the minds of the officers themselves ?-Yes, I think so

30025. So that you are not one of those who think that the officer is straight, but it is the people who look upon him with coloured eyes?— It may be so.

30038. In your answer to question (88), you say that the combination of Rovenue and Magisterial work is convenient to the people. I should like to know the points of convenience which you think people find in this combination ?-From my own experience as a Sub-divisional Magistrate, I can say that the combination is

certainly convenient. 30037. How?-Because Magisterial cases can be disposed of in the very Telaka in which they have taken place. An officer is on tour fer seven months in the year, and we generally arrange to dispose of the criminal cases in the very Taluka in which they have taken place. convenience.

convenience.

30038. Supposing, the combination were severed, and a Sub-Judge appointed, there would be a Subordinate Judge for every Taluka?—Ho would be wanting in Iceal knowledge, because ho would be at his own head quarters

30039. Why would he be wanting in local knowledge?-Because, he will be at a particular

place: he will not be the touring officer. \$0040. The Subordinate Indges are all Natives of this country ?-Yes, I believe they are.

20041. Do you mean that they have not got the requisite knowledge of manners and enstoms of the country which the same Native officer in the Executive branch has?—I believe the Excentive officer does possess more local knowledge because he goes from village to village in the Taluka, whereas the Sub-Judge would be sitting at bead-quarters. He has a very rare chance of me arms quarters. It is seen the Executive officer does possess more local knowledge.

30042. But there is nothing very impossible in making a Subordinate Judge go sound in the nameng a superchance stage go found in the same way as a Departy Collector does?—I should have no objection if he could. 30643. Do you, or do you not, admit that so

far as legal training goes, the Subordinate Judge has a better knowledge than the Deputy Collector?-The cases which the Deputy Collecter tries are not so complicated.

30044. I do not mean Deputy Collectors only, I mean Mamlatdies, Magistatics exercising second and third class powers?—I think they are quite able to dispose of the cases in a satisfactory way. 30045. My question was, have they the same

legal training as a Subordinate Judge has?—Not in the theoretical sense.

30046. The practical sense is the way in which they perform their duties?—So far as Magisterial work is concerned, I believe Revenue efficers are quite able to cope with the work and are able to

discharge their duties properly.

30047. Is that your own opinion, or is it the opinion of the public?—I do not know what the

public opinion is.

30048. (Mr. Macdonald.) You have made some reflections about English society. You want nomination in order to keep out certain low-class people ?-Yes.

30049. Who are the low-class people?-If there he any. I do not make any reflection against the present Service. I made that suggestion as a safeguard. I do not refer to the Service as it is. 20050. You say that family history has got to

be inquired into ?-That is the way we proceed in

20051. Would you exclude the workingclasses?—Certainly not, if they are respectable. 30052. Social status: would you exclude the working men? - There are certain working men

who hold as good social status as anyone else.
30053. You would draw your Civil Servants
from all classes of English society?—Yes, if they

are respectable.
30054. You believe in nomination in the com-

petitive examination for your community ?-- Yes. 30055. Would you say that the Moslem League belonged to the Congress?—Of late, there are certain members who have embraced the Congress creed.

30056. The Moslem League, as a whole, I understand, has agreed to simultaneous examination ?-But at the same time the Moslem League has passed a Resolution for the Swarfaj. 30057. Do you know if the Moslem League has

agreed to favour simultaneous examination?-I

am not quite sure.

30058. You think your community ought to
have nominations?—Not only my community; but all the other communities, Raiperts, Marathas, and others who form a minority and have not a due share in Government service, should also have the benefit of them.
30059. Why?—Of course I do not mean to

say nomination without qualification. Only if men are qualified men will they get their due

share, not otherwise.

30060. Do you mean that there would be a standard to which they must come up?—The educational standard must be fixed. 30061. If the standard is high, why cannot

they take their chance in the competitive examination?-As matters are at present they are so backward that they would not be able to stand a chance. I have certain figures to show. For instance, in 1887 there were eighty candidates, and

the Muhammadans numbered only three, 30082. Who is to blame?—The people them-

selves.

30068. Would it not be more in accordance with social status and good family if it was not meessary for them to go about for entificates of character from officers in order to get public 6th March 1913.]

Saived SHAHSUDDIN KADEL

[concluded

appointments?-In India overy officer generally

knows men of respectability and position 30064. But men of assumed respectability and position can go round asking for character notes and chite in order to get nomination?—That, even now, is the practice in the Provincial Civil Service, They have to produce a certificate of character and respectability.

30065. Would it not be better and indicative of a more dignified social status if they educated themselves up to a certain standard and then went up for the examination and took the place to which they were entitled?-Yes; that would be very much better if it were possible.

30066. (Mr. Madge.) I understand you to mean that what you want in the men selected is

really character, above all things ?-Yes, exactly.

Tatisch very great importance to character:

30827. (Mr. Jeglekar.) In your answer to
question (19) of the Provincial Civil Service questions you say, "Out of 83 superior posts only
turee are listed as open to officers of the Provincial Civil Service of proved merit and ability "?-That

is correct, I suppose,
30068. But there is a list showing that
seventeen posts were transferred to the Provincial Civil Service?—They were transferred to inferior posts.

\$30069. You mean, Collectors?-I am referring to superior posts, that is to Collectors.

(The witness withdrew.) (Adjourned to tomorrow at 10.30 a.m.)

## At Bombay.

Friday, 7th March 1913.

## TWENTY-EIGHTH DAY.

#### PRESENT:

THE RIGHT HON, THE LORD ISLINGTON, E.C.M.G., D.S.O. (Chairman),

THE EARL OF RONALDSHAY, M.P. Sir Mubray Hammick, K.O.S.L., C.I.E. Sir THEODORB MORISON, E.C.I.E. Sir VALENTINE CHIROL. MAHADEV BHARKAR CHAUSAL, Esq., C.R.I.

WALTER CULLEY MADRE, E-q., C.LE. FRANK GEORGE SLY, E-q., c.s.t. Horsbert Albert Laugens Fisher, Ess James Ramsay Macdonald, Esq., M.P.

And the following Assistant Commissioners :-JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.

Ráo Bahádur RAMOHANDRA NABATAN JOGLERAR, Assistant to Commissioner, Central Division, Poona. RAGHUNATH GANGADHAR BRADBHADE, Esq., Judge of Small Cause Court, Poons.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (Joint Sceretary).

Sir HENRY E. E. PROCTER, Merchant,

Written answers relating to the Indian Civil Service.

30070 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think that the present system of recruitment by open competitive examination in Benjand for the Indian Civil Service is probably the most satisfactory one that could be obtained. It is true that under this system a certain number admitted to the Civil Service may not have those administrative qualities which are so requisite, still I do not think that any other system could attain better results. It might be thought that the combined system of competitive examinations and nomination would bring about better results, but I do not think in practical working it would do so.

30071 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?-I am not in favour of simultaneous examinations in India and in England. If such were held, it would probably result in an increase of Indians in the Service, and for the reasons given in my answer to question (28) I am not in favour of this.

30072 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your our rice posts which are not covered by your answers to the foregoing questions?—I am not in favour of the proposal that the proportion of Indians in the Indian Civil Service should be at present increased, because I consider from the experience I have had in this country that as a body the Indians do not possess the administra-tive and governing qualities which the English bave and which has made England what she is and, in fact, which is the reason of our being in India at the present moment. There are of course, as I well know from my personal experience, some Indian gentlemen with these qualities, but they are, at present, the exception and not the rule. Until their number has increased considerably I think it necessary for the good of the country that it should be largely controlled by the English and for that reason I think it would be a mistake to increase at present the proportion of Indians in the Indian Civil Service

89073 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory! If not, please state your views?—I think it is very desirable that the number of officers should be increased, as from the experience I have gained from contact with the Civil Service I am of opinion that most of them are overworked and this must affect the efficiency of the Service. From my experience in this country I consider that if work is to be carried out satisfactorily the most important factor is out satisfactority the most important nearor is good European supervision and for that cason I am strongly in favour of strengthening the Indian Civil Service in order to increase its efficiency and prevent delays which must occur if officers are over-worked. I may say that I have the greatest respect and a limitation for the way in which work is carried on by the officers of the Indian Civil Service, whose devotion to duty is an example to all classes, but I think that they will quite agree with me, when I say that the efficiency of the Service will be increased if the number of the Civil Servants is more in proportion to the work to be done than it is at present.

# Sir HENRY E. E. PROCTER, called and examined.

30074. (Chairman.) You are the head of a large business firm in Bombay, are you not?-

30075. Can you tell us the nature of your husiness?-We call ourselves merchants, but we have expanded from merchants and we have promoted railways, and we have a cotton mill and manganese mines, and we manage a steamship company, in addition to the ordinary business of merchants.

30076. Have you lived many years in India ?- This is my twenty-fifth year.

I suppose your business takes you outside the city of Bombay and outside the Presidency as well ?- Yes, we visit our railways in the Punjab, in the Central Provinces, in Gujarat, and we visit our mines in the Central Provinces, and our steamer ports between Karáchi and Mangalore

30078. On the whole, you consider the present system of open competition fairly satisfactory. I infer from that that you would not desire to see any alteration in the direction of combining it with nomination ?-No, I should not

30079. You are opposed to the proposal to establish simultaneous examinations?—I am, for the reason I give in my answers to other questions

30080. Your reason being that you do not desire at present to see an increase of Indians in the Civil Service?—Yes.

30081. Would you say that the question of

the extended employment of Indians must be judged from the standpoint of policy in India as well as from the standpoint of actual administration?-I was thinking purely of the question of efficiency. 30082

Would you admit that the question of policy is one which demands serious consideration at the present time as well ?- I think that all the Indians themselves, looking at it honestly, would wish the most efficient man to be in the Civil

30083. You do not desire to see added an opportunity, other than that which is at present presented by the open competition in England, for the admission of Indians?—Certainly not, at the

cost of efficiency. 30084. Would you say that there has been an appreciable increase in the number of Indians who have become sufficiently educated to take up public work ?-I think it is undoubtedly growing.

30085. Would you favour the suggestion which has been made by some witnesses that scholarships should be offered to enable Indians to go to England and have a better chance of compet-ing?—As I have said, I do not wish to see the number increased at present. Possibly, the offering of such scholarships would get a better class and, in the future, it would mean an increase, but for the present I should say from my own experience the time has not come for that increase. Such a system of scholarships might bring that time nearer by getting a better-class.

30086. Do you think the demand on the port of the educated Indians throughout India for further facilities is one that need not be seriously considered?—I do not quite see what you mean by seriously considered.

30087. Is not there a demand for further facilities for the employment of Indians in the higher posts of the administration ?—Yes.

30088. You say there should be no increase of Indians in the administration. Therefore I ask you whether that demand which is made by the educated Indians is one which in your judgment need not be seriously considered at the present moment?—I do not think it should at present; I do not think they are ready for it.

30089. I suppose in your business you employ a considerable staff?—Yes.

30090. Largely composed of Indians?-Yes. In our own office, in connection with the various companies we control, we have about 50 Europeans, and, including several hundred native clerks, the men in the mines and the mills number about 10,000.

30091. Do you have Europeans or Indians as supervisors in the various branches?—Europeans, 30092. Invariably?—Not quite invariably;

we have a Parsee weaving master in our mill, \$0093. With regard to the Europeans you employ, could you tell us what scheme you have for recruiting them to your business?—We recruit

them in England through our London office. 30094. At what age approximately do you, as a rule, aim at taking them into your service?— About 21 to 22. We like them not later than 22.

30095. Are they University men?-No, we have not any University men; they are mostly public school boys who have been trained in offices

in London, Liverpool, or Manchester. 80096. They have all had a training in an office for a year or so before they come to India?-All

30097. When they arrive in India what kind of training do you put them through to accustom them to Indian conditions?—As a rule, they are put straight in charge of a department.

30098. Under the direction of a Buropean supervisor?—Yes. They are given a good deal of

responsibility straight away.

30099. Do you ever find difficulties arise in connection with their association with Indians?-No; we make a very strong point that the association has to be good and we have always found it

30100. Could you tell us what pay you give-to young men?—They start at Rs. 350 a month and they rise by Rs. 50 a month for the first agreement of 4k to five years. Then they come back on higher pay.

20101. There is what we call a time scale up

to Rs. 500?-They have a time-scale up to-

Rs. 750. 30102, What is the process after that ?-Our

process is one of merit. 30103. You select them for the higher postson their merits?—Yes.

30104. What would be the highest salary of the men on your staff?-It varies a good deal. think the highest paid man we have is Rs. 1,800

30105. In addition to the salaries, are thereany other extras that you allow your staff?-We generally give them bonuses.

30106. I suppose they have not the initial expense of any equipment on coming out?-

[continue i.

30107. What is your system of leave?—They got six months in the first five years, and then generally six months every three or four years afterwards.

arterwards.

30108. What pay do you allow them during leave?—They get their passages paid bome and back, and half pay while they are away.

30109. Have you got a pension scheme?— Not for our superior staff.

80110. How would you say the rate of salary compared for the same class of employe in Bombey and Calentia P—I think it is much about the same. Calentia used to be rather more expensive, but I think it has gone up slightly in Bombay and there is not very much to choose between the

two places now.
30111. What would you say about the general cost of living all round?—I think it has gone up.

30112. How is it as compared with Caleutta ?—I should think it has gone up both in Bomhay and Caleutta, and in addition to the sost of living having gone up the standard of living has gone up 1 think nephe want more than they did fromty vears ago.

did twenty years ago.

30113. You think that the difficulties are due
to the style of living almost as much as the cost
of living?—Yes. The standard has risen in all

"30114 (Lord Renaldskey.) I am not quite clear how you reemity your employés. Is it by a process of scientin ?—I could tell you how! was recruited myself and that might explain it. I went into the hieroptic office as an apprentice for five years, for which I was to get £100. I stayed another year and then amon out to India. My two partners here went through exactly the same process. We tay to not measistant, before they came out to India, into the London office for at least two of three years.

30115. How do you select your men to putinto your London office?—Very often a friend of ours wants to put his sen into an office or we hear of young men wanting to go into offices. We do not adversite. It is generally through a friend that we hear of somebody who wants to come out here.

30116. When you hear of a young man of that kind, does a representative of your firm interview him with a view to judging as to whether he would be a suitable recruit?—Yes, and we have lum in at first on protation. If he was not suitable he would not be sont out.

Soll?. Your young men are only on probation during the time they are in the office?—For the first six months or year. We should not keep them longer and then not send them out.

30118. You say they are mostly public school

boys?—Yes. 30119. Are they men of fairly high educational attainments, generally speaking?—I think

30120. But I suppose you would not regard a competitive examination as a satisfactory method of recording them?—We have never entertained

that idea ourselves.

30121. I only sale that question because I see
30121. I only sale that question because I see
30121. I only sale that the sale method of recruitment to the Indaina Civil Services. When I sale
that I meant in companions with the nomination
system. If we employed as many means as the Civil
Service we should have to have a competitive
examination or something of that sort. We only
bring out one man every two or three years.

30122. I have been told that men who came out here at the age of 20 or 21, when the age limit for the Cril Serrico was low, suffered very often in health and the mortality among them was very high. Mould yen age from your experience of your employes that there is very much in that?—I do not thanks. We have all come out at about 21 or 22. One man was invalided Home for consumption, which he might have held only where at any time, and I think two men have had enterie in the last twenty years. We have hal very little schools.

30123. From your own experience you would not say that that was a serious argument against bringing young English Cavilians out to this country three or four years earlier than they come out at the present time?—I think 21 or 23 is the best are.

30124. With regard to passage, do you give your employes a first-class passage when they come out, or second-class?—First-class.

30125. Has there been any rise in the initia pay to these men during the last twenty years?—I do not think so, beyond the bonus,
30126. The initial salary has remained the

30126. The initial salary has remained the same for the last twenty years?—For the last twenty years, certainly.

twenty years, certainly.

30127. You have not found it necessary on account of the increasing cost of living to offer a higher initial salary to your European employes?—
No.

30128. The young civilian comes out at about the age of 22 and draws about Rs. 400 a month by the time, your employed have realed the age of 24, would they be drawing more than Rs. 4007—They would be drawing Rs. 450 or Rs. 500.

30120. With regard to the admission of Indians to the higher Service, I quite realise that in your opinion the time is not ripe for any considerable addition to the number, but supporting it was knought desirable to recommend convended awomen by which Indians might find their way jets the superior Service in this country, do you think you would get a more efficient servant by means of a separate examination in this country or be premoting picked men from the Pravincial Service?— I really have and thought about it, but repekting off-and I should say the latter.

30130. It is probably a question you have not given a great deal of consideration to ?—No, but I certainly think there should be no objection to promoting picked men from the Provincial Section.

2013. (Sit Theories Heritors,) You refer to the hard work of the Givil Service at the present moment. Do you think the civiling everally peaking is hander worked than the many of business novadays in Bomlay? We all have a streams life out here, but I that they have longer hours than we have judging from thes-

with whom I have come into contact.

30132. With recall to the question of pay, could you fell me other yeap any In England and what you pay in Light for the years hind of efficiency !— I was apprecised for five years at £100, the £100 hint rial to me for the ites you can be a propertied by stem has now gone out a grant deal.

30185. What seri of salary do you pow at bome to the men to whom you give 11s, 750 a month to start with here?—I am afraid we have not any of that sort of man in our office. We

have the ordinary clerks in our London office. 30134. The men who start here on Rs. 350

and come out on a five years' agreement rising to Rs. 550 have no corresponding class in England ?- Not in our office.

30135. Have you any idea what sort of salaries these men have been drawing in England before you took them ?- I think the reason they come out to India is because there is no scope for them in England. There are no similar offices

in Knoland That kind of man if he stayed at 30136. home would not have a chance of getting much more than a clerkship?—I do not think so.

30137. You said the cost of living in Bombay has risen compared with the cost of living in Calcutta and you think the two are now about the same. Can you say how the cost compares with living in London now-a-days ?—I am afraid I could I should think it is more expensive to live here than in London, or we think so certainly.

30138. Is that the general impression here that the cost of living in Bombay is higher than in

London?—I think so.
30139. Having regard to the necessary amenities of life?—Undoubtedly.
30140 Do you get Englishmen to come to

you in any capacity cheaper than an Indian firm does?-I should not think so, but I do not know. 30141. We have been told that the Service

might become unpopular if there were a very large increase of Indians in it, and I want to find out whether, as a matter of fact, Englishmen show any reluctance that you can estimate pecuniarily in coming to serve under Indian employers? I think they would always prefer an English

30142. But do you, as a matter of fact, get them cheaper ?- I am afraid I cannot answer that question, as I do not know what the Indian people pay. I cannot think of anybody except mill-

30148. Are there any mill-managers in Bombay serving Indian Companies or Directors?-I should think a great many, but, I am afraid, I cannot tell you what they are paid. They always keep it very quiet. A man is paid according to . his efficiency, I think. 30144. He is paid by Englishmen and Indians

according to his efficiency?—I should think so, but I can only speak of what we do curselves.

30145. Do you think that the standard of efficiency in industry among Indians has risen since you came to India, say their capacity for managing large concarns?—I cannot say so from my own experience, but from what one sees around I should say, yes. If you look at the enterprise of the firms you see they do extremely well. It has risen I think.

30146. As an administrator you think the efficiency of the Indian as tested by industry in Bombay has increased?—I think so.

30147. (Mr. Chaubal.) After how many years cervice does your highest paid man get Rs. 1,800? The one I refer to has not been very many years in service with us, but he has had over twentyfive years service in the country. 30148. That is rather an exceptional case?—

Yes.

30149. In the system of selection that you follow have you had occasion to send men back unfit ?-Very few.

30150. Have you given your answer to question (6) after comparing the University standard out here and the standard of the curriculum of the Indian Civil Service, when you say that you think the probable result would be a large increase of Indians if simultaneous examinations are established ?-No, it is because I think the Indians . are entremely clever at examinations.

S0151. That is a compliment to the Indians, but have you tried to see what University qualifications the majority of those who go to England for the competitive examination have, what University training they have had here, and how long they have had to study at home, and the difficulty of the Indian Civil Service curriculum, and what have been the results?—I have not looked into it at all.

30152. Then this is only an expression of your opinion?—Yes. 80153. How many Civil Servants are there

in the country at the present moment, do you know?—I could not tell you. 30154. You may take it from me that there are 1,294. Do you know the number of Indians

contained in that figure?-No.

30155. There is only 56, After hearing those figures do you think that the present number cannot be increased?—I still hold the same opinion

30156. Although, you know there are only 56 throughout India and Burnes out of 1,294?—Yes.

30157. Why do you compare an educated Indian who has had a University education here and has gone to England to study at one of the Universities for three or four years, and has come out successful, with the general body of Indians in the country? Is he not an exceptional man?-I do not quite follow you.

30158. You say in your answer to question (28): "I consider from the experience I have had in this country that as a body the Indians do not possess the administrative and governing qualities which the English have." Do you consider that the educated Indian who takes his degree here and goes to reside at Oxford or Cambridge, and takes a diploma there, and appears for the Indian Civil Service examination, and passes, and then comes out, is one of the general body of Indiaus, or would you consider him exceptional as compared with the general body of Indians?—My opinion is based on my experience and I can say nothing more than what my experience has been.

30159. Does your experience tell you that such a man is like the ordinary run of the general body of Indians?-I cannot answer that,

20160. Do you know what the percentage is at present that Government recognises for recruitment of Indians in the Civil Service ?- No.

36161. It was settled that one-sixth of the higher posts might be given to Indians; is it your deliberate opinion that that should be cut down?-

No. I have not said so.

30162. You say that the present proportion should not be increased?—I understood the pro-

portion was fixed.

90163. The proportion fixed in 1886-1887 was
species were to be given to that one-sixth of the posts were to be given to Indians, I spppose, you would not cut that down?-No

30164. But you have not enquired whether that one-sixth has been reached or not ?-No.

30165. If the one-sixth has not been reached I suppose you have no objection to its being Sir H. E. E. PROCTER.

Continued.

raised to that limit at any rate?—It is rather difficult for me to say; I am against an increase altogether at present. 30166. For the matter of that you might have been against any admission at all. The proportion been against any admission at all. The proportion the Government fixed in 1886-1887 was one-sixth and that one-sixth has not been attained after

30 years. Would you still keep it as at present or would you at least raise it to the one-sixth?would rather not answer that question as it is difficult for me to say.
30167. (Mr. Sty.) I should like to ask you

some general questions about the trade of Bombay. During recent years, I understand, there has been a large increase of trade in Bombay

generally ?-Yes.

30168. Could you tell us whether, relatively, including that increase, the amount of trade carried on by the Europeans has decreased or inereased compared with that carried on by Indians. Has the European share of that increase been smaller or greater than formerly !-- I should say it was greater, certainly not smaller.

80169. Take some of the special industries in Bombay, for instance the mill industry, is the European share of that industry increasing or decreasing?—I think the European share is in-creasing. Twenty years ago there was only one firm of Europeans interested in mills while to-day

I think there are seven.

30170. But compared with the general increase of the mill industry do you say the European share

is bigger ?- I should say so,

80171. Take again a branch of trade in which there has been an advance in India lately, the Banking trade. Has the share of the Banking been increasing or decreasing?—Judging by the number of Indian Banks that have been opened I

should think it was decreasing. 30172. Take another big branch of trade, the export and import trade. Has the European share of that trade been increasing or decreasing?-I should say increasing. Of course, I ought to explain that the import trade was almost entirely done by the Native piece-goods dealers: through European firms, and a certain amount of that is now done direct between the Native piece-goods dealers and the Manchester people. I do not know whether you would call that a loss to European trade or not.

30178. Yes. I mean the European trade of Bombay ?-Iu the imports more is done direct

than formerly. In the export I should say no.
30174. You have given the Commission
certain information regarding what is stated to be the pay of Europeans employed in commerce in Bombay. In addition to their pay, do not the Europeans get other sources of income in the shape of house-rents ?-We do not give any in Bombay.

\$0175. Conveyance allowances?-No, we do not give any. 30176. You do not give anything outside the

pay ?-No.
30177. When they have got above a certain standard in the firm they get bonus as ?- They get standard in one arm day get counts; :- new get those from the beginning of their services. 30178. Can you give us any information as to what proportion of their pay that bonus would

amount to on the average?-It depends entirely on services and on the business.

30179. Can you give us any idea as to whether it would amount to an increase of a

quarter or a half of their pay, or any fruction?—I should think it would amount to from one month

upward. 30180. A minimum of one month's pay in a

year with a maximum of what?—I am afraid I cannot fix the maximum.

20181. You were asked a question as to whether your firm had any pension arrangements. It is rather a difficult question I am going to ask and I do not know whether you will be able to reply to it. Are you aware that the Inlian Servant retires with a pension of £1,000 a year ?-Yes.

30182. Can you tell us whether the business man who retires from Bombay retires with a capital that would being him that annuity on the average or not?-I am afraid I enunot tell you that because we are not in their emfidence. The majority of European firms in Bombay bave their head offices in England.

30183. (Mr. Macdonald.) Does your Eurocan stall, or any members of it, take holidays in India ?-Yes,

30184. Do they take those helidays once a year as we do at Home?-They do, in accordance with the exigencies of the business.

30185. Where do they spend these holidays? - They spend them where they like. There are several places where they may go, Sinda, Ceylon, and so on, or they go for shooting or playing pole.

30186. What length of holiday do you give

them ?-A fortnight or three weeks

30187. Do they find it is worth while going to Ceylon for three weeks' holiday? -][ they went to Ceylon we should probably give them louger.

30188. If Europeans working regularly in Bombay had a month's holiday every year, do you think it is good from the business point of view? - I think it is very good they should have a holiday every year. I endeavour to make them take it but they will not take it always.

30189. You would not appreciate the point of view of a man who said that he had taken no holiday for four years and therefore ought to get four months' accumulation of holidays: is that good from a business point of view - Vo. Of course, at the end of four years they get their furlough with us.

30190. I am thinking of the annual breshs which we all require, such as we get at Home. If a man came to you and sail: "I have be a rich an attentive servant and good employed of yourse that I have taken no holelays for four year." would not you appreciate it much best r if he had taken a reasonable haliday every year to have kept fit?-I prefer that they should take helitays

and keep fit.

30191. The Indian who goes into the Indian Civil Service has to have a sperial training, and part of that special training consists of University and other classes at home, where he comes in contact with English and Caraptan industries the virtue of that does not be executated himself a east of special class of Indian?-I do not think so now more than the elected Is live in Bonbay we meet with in commer inline's.

\$0192. You think that the Indian in Bombay who goes through a course of studies at the Bunbay Universities is protty much the some sort of man as the man who has gons Home and 224

come back after undergoing an English course of training?—He has not had the same advantages, but the Indians we meet with in Bombay in business are a most capable lot of men, and well

educated too 30195. Thinking of that section of the Indian people alone, do you think it would still be undesirable to work up to the one-sixth that was laid down as the minimum so many years ago?-I bardly like to say, as I have not thought about it.

30194. (Chairman.) May I ask you a question in regard to a point put to you by Mr. Macdonald. Do you, in practice, allow an accumulation of leave over a period of years for your employes?—No, because they get their furlough at the end. We always give the men their furlough after three or four years. There is no system in our office of allowing furloogh to accommlate as in the Civil Service, where a man accumulates furlough and cannot get it. We see our men get it.

30195, (Mr. Fisher.) You have a large acquaintance amongst educated Indians Bombay ?- Yes.

80196. And you probably know several families who have sent boys to be educated in England ?-I do.

80197. Do you know whether they regard that as a generally successful experiment?-I do not know what they regard it as, but I think my-self it is often a doubtful experiment.

At what sort of age would they be sending their boys to England, Sourteen or older?—I think older as a rule, but I am not sure about it.

30199. I was rather asking about boys sent to school?—I had in mind a boy sent Home for technical training, but of course if they are sent to school they are sent earlier.

80200. Would you say from your experience that it was viser for an Indian parent to send his boy to England at the age of 19 or at the age of 14?-I am afraid my experience is sil on that subject.

30201. If you were giving advice to an Indian friend as to what age it would be best for him to send his boy to England for education what advice would you give?—I have not been asked that, and I have not considered it:

30202. (Mr. Madge.) You have given us the opinion that Indians do not possess the administrative and governing qualities which the English have. I should like to have your frank opinion from which of two very different standpoints you give this view. There is what I may call the rabid opinion that thinks, wrongly, as I believe, that no good can come out of the Indian Nazareth, and there is the other view that considers the Government has tried to give the country the best officers it can obtain from any source, and fears that it cannot rightly appoint more ludians than it has already done. From which of those two points of view, if either of them, do you look at the question?—My answer is given entirely on the ground of efficiency. As I said in the latter part of my answer, I think the time will come. I might say that I consider the English are here for the good of India, and when the time comes that Indians can supplant us in the Government we shall be perfectly willing to let them do so.

30203. You would advance Indians consis-tently with that view as far as possible?—Yes,

30204. Have you say reason for fearing that the Government of India has not advanced Indians to the full measure of their efficiency? A complaint is sometimes made that a certain proportion has been allotted in certain concessions and that the Government have not worked up to the proportion. I am trying to find out the reason why the Government have not worked up to that pro-portion, and therefore I should like to know whether you have any reason to helieve that the Government have not worked up to the full proportion for any other reason than that in its honest opinion the full measure of efficiency has not disclosed itself?—I have not considered that.

30205. I should like you to look at the matter from this point of view. The English race, without any offensive comparison with any other races, even Enropean, are supposed to have certain practical qualities that make them good colonists, and administrators ?-I believe so.

30206. And that view can be held quite inoffensively with reference to either European or any other races ?-- Yes.

30207. Do you think that if there were any serious change in the character of the Government it would affect commercial investments?-Very possibly.

30208. Do you think that European non-official commercial investments have greatly. advanced the prosperity of the country and found employment for Indian labour in mines and factories ?- Undoubtedly.

30209. And all those might be affected, if, whether rightly or wrongly, European capital thought there had been any serious change in the character of the administration?—Yes, it might be 80210. Capital is very sensitive on this point?—Yes

S0211. Do you employ domiciled Europeans or Anglo-Indians at all?—Yes, a great many. 30212. Other things being equal, have you found them about as efficient as other employes?—

Yes, I am very satisfied with them.
30213. (See Valentine Chirol.) Just now, I
think you were inclined to institute a rather favourable comparison between the Indians you come in contact with here and the Indians who go bome and study in Europe, to the advantage of those who have not been to Europe?-It is not unfayourable to them.

20214. Are the Indians with whom you come into contact chiefly men who are engaged in business in Bombay ?—Yes.

80215. Are they men who for the most part have received a University training in Lodia?-I believe so.

30216. And do you think that, on the whole, as far as their business canacity is concerned, they compare not unfavourably with those who have been Home ?-That is so.

80217. And in other respects also ?-- I think they compare very favourably.

30218. (Fir Murray Hammick.) You said in answer to one question that you thought probably the system of increasing the Indian element in the Civil Service would preferably be done by taking experienced men from the Provincial Service and 7th Blarch 1913.1

Sir H. E. E. PROCTES.

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putting them into the Civil Service. I suppose teally your view of the competition in England visual be that oot of the large number of candidate who come up for that competition in England the chances are that the most of them, if they could pass, would probably turn out to be average officient administrators for the Civil Service in Judica, and therefore that that examination is really an examination for the elimination of a certain insulver of exclusives who do not arrive at the hericlectual standard which the Government think necessary. Would that be your view or theory of the examination = -Ves, I think = -Ves, I think provided the comments of the contraction of the contraction of the comments of the c

20219. Do not you think that is about what the examination does in England ?—I suppose so,

30220. On the other hand, with the simultaneous examination held in Josia the same thing would not hold. The large majority of cardidates who came up for that examination would probably not be fit to enry cot the duties that would fail to them as members of the Givil Service, and a mere elimination of all who did not arrive at a sufficiently high intellectual standard would not be a sufficient set for the service "I—I cannot say I have thought of that myself. I shought the comparison that was put before now use that men who had done well in the Provincial Service and had moved their value, were selected on account of

their fitness while the other men would not have proved their value at all.

30221. Your objection to the entry of Indian candidates out here by simultaneous examination really, I take it, comes from the feeling that an examination is really not a suitable method of testing a man's capacity to govern, but that being more or less part of the character of almost ever average English boy it does not much matter if you use the examination in England merely as a scensity that the boy who passes has a certain intellectual outly ok and intellectual efficiency. On the other hand, if you had an examination in this country the results would be entirely different because you do not start with the same feet that you start with in England, where the great mass of hove who come up for the examination would. whether they had had an examination or not, be fit for the duties the Government were going to give them. Is that not very much your opinion?-

30222. (Mr. Heaten.) Have you given any emisideration to a proposal that his frequently been made that you should take away the Judical appointments from the Civil Service and remut for them separately?—No.

(The witness withdrew.)

Ráo Bahádar Raghunath Vyankaji Sabnis.

Written answers relating to the Indian Civil Service.

30223. Before beginning to answer the questions, I would state a few facts and principles which, I think, have to be borne steadily in view. They are:-

- (i) Stability and permanence of British rule are a sine qua non for the welfare of India.
- (ii) Any measure that has the least tendency to jeopardise its stability or safety has to be called with the called th
- (iii) India is a country that has a past history peculiarly its own. Its civili-ation is one of the oldest. It dates from almost the earliest period known in history and is bestd mainly on the foundation of religion. It has coloured the whole life of the people and has furnished the ribs and backbone of the social fabric.
- (iv) The country has been subjected to invasions at different times. The earliest comparison in the annuls of the world. Its main object, as was but natural under the circumstance the existing, was permanently to seeme the supermany of the ecopasting race. The subject time, were reduced to a state of serfection and found an element totally separated from the comparison by colour, labit and occupation. Costs hierarchy was finally established and the power through the mass carefully guarded, being preserved by pictures legislation of which the present Hindu society with its ammerous exists and subseates is the outcome. Their phenomenant of the present scale and the present exists and subseates in the competition. They are the outcome of a heavy handlerp in life's race. The vast analysis of the people are intellectually familished and it is necessary to being them in line with the ix-t. The latins fatre policy hitherto pursued by Government has only tended to account the difference. It is not desirable, therefore, to face any measures that could result in whining the charm still further unless they are absolutely necessary in the interest of administration.

20224 (1). What is your experience of the working of the present system of recruitment by open competitive oxamination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle—The present system of recruitment by open competitive examination in England has been working well, Imprinciple it is fairly satisfactory.

30225 (2). In what respects, if any, do you find the present system faulty in detail, and what

alterations would you suggest?—The respects in which it is faulty and the alterations I would suggest will appear from my answers to some of the questions below in this respect. [Pieze answers to questions [6] and [6]].

30226 (3). Is the system equally suitable for the admission of "Natives of India" and of eater natural-born subjects of His Majesty? If nonwhat alteration do you recommend?—The system is not equally suitable for the admission

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7th March 1918.1

of Natives of India and other natural-horn subjects of His Majesty, as the Natives of India are

at a disadvantage owing to the examination being held only in England. 30227 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?-It is to the advantage of Indian interests, as it gives a wider field of candidates from amongst whom the Indian Civil Service

could be recruited. 30228 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?-Though the present system of recruitment is not quite satisfactory, on the whole it seems the best method that can be adopted under the circum-

stances 30229 (6). In particular, what would be your opinion regarding a system of simultaneous ex-aminations in India and in England, open in both cases to all natural-born subjects of His Majesty? -In the present political, social and educational condition of the Indians, simultaneous examinations held in Eugland and India with a view to recruitment of the Indian Civil Service from among candidates selected from the combined list, are not desirable. Because, (i) for the present it is absolutely necessary to have a fixed minimum of Europeans in the Indian Civil Service which it might not be possible to maintain if selection went entirely by the results in the combined lists; (ii) under the present highly disproportionate educational equipment of the different castes and communities in India, it would not be possible to secure a fair distribution of posts among them. As I have suggested in my opening remarks, the system of simultaneous examination will result in intensifying the inequalities already existing in Indian society.

80230 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a school which If you favour such a scheme, what proportion do you recommend ?-I am not in favour of any separate examinations in India. I, howover, hold that a fixed proportion of vacancies should be filled by Natives of India. The proportion may gradually be raised to one-fourth.
It should be liable to revision periodically. The recruitment for the present should be by nomination, which should be as representative as possible, regard, of course, being had to efficiency.

30231 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England ?—Yes. The competitive examination in England should be open to all classes and communities.

30232 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present

system of promoting to listed posts officers of of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service !-The system at present followed in the Bomboy Presidency need not be altered for the present. So far as can be seen, attempt is being made to make the nominations of both fresh recruits and of officers from the Provincial Service as representative of the interests of the different communities as is consistent with the maintenance of a high standard of administrative efficiency.

30238 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose ?-For the present it is not necessary to have a separate method of recruitment for the Judicial Service. I would, however, recommend the appointment of select Pleaders and Barristers of not less than ten years' standing to listed places in the Judicial Service. This would be a sup-plementary method of recruitment from the Provincial Service. Besides, importing the best legal acumen into the Judicial Service, the measure is likely to have a beneficial effect in other directions. The Bar is an influential factor in most of the public activities and the measure is likely to enlist their sympathies in favour of Government and lead to more harmonious relations between the Government and the people.

80234 (12). Are you satisfied with the present statutory definition of the term "Natives of Basiciary desiration of the Government of India Act, 1870 (33 Vict., c. 8) as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent or of unmixed European descent? If not state fully any proposals that you wish to make in regard to this matter?—The definition is satis-factory. But, it should, if possible, be so inter-preted as to include subjects of Native States. If that is not possible, it should be so altered as to include them.

30285 (18). If the system of recruitment by open competitive examination in Eugland is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons ?-The present age-limits (twenty-two to twenty-four) should be retained, as they give the candidates sufficient time to get a better educational grounding.

30236 (14). What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in India ?-The most suitable age is twenty-five.

30237 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would add to the syllabus Indian history-

Aute-Eritish period British period Hindu and Muhammadan Law

and would assign the same number of marks for Sanskrit and Arabic languages and literature as for Latin and Greek, that is, 1,100 in all, instead of 800 as at present.

30238 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so,

state them and give reasons?—No. 30239 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes.
The present lists (vide schedule to the
Indian Civil Service Act of 1861) are sufficient. I would only add the posts (i) Inspector-General of Police and (ii) Police Commissioner of Bombay. Men of proved ability and merit, who would command the confidence of people, are needed for the satisfactory discharge

of the important duties of these posts.

30240 (19). Do you consider that a minimum proportion of European subjects of His Majesty proportion of Estropeas subjects of the Anjesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Pservice eadre do you consider that Natives of India might, under present conditions, properly to admitted?—Yes. Natives of India might be admitted to one-fourth of the posts in the Civil Service cadre; three-fourths should be the mini-

mum proportion for Europeans.
3024 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes.

30242 (21). Do you consider that the old system of appointment of "Statutory Civilians under the Statute of 1870 should be revived, and, if so, what method of recruitment would you

recommend?—No.

30243 (22). If the system of recruiting military officers in Iudia for posts in the Indian Givil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion,

should it be adopted?—No.

30244 (23). Do you consider that such a
system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?-I am not in favour of recruitment of either kind

of officers.

30245 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I approve the system. Care, of course, has to be taken in making proper selection.

30246 (26), Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—Yes,

80247 (27). Is the class of posts listed suita-ble? If not, in what directions would you suggest any changes, and why ?-Yes.

30248 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers, to the foregoing questions?—I would only add that if it be decided to hold asimultaneous examination, for some years to come, at any rate, it should be a close examination open to backward classes only. This may tend to level up to some extent the highly uneven social organisation that is peculiar to India.

30249 (29). Do you consider that can lid stes recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the

service? -Yes.

30250 (30). If so, how long, in your opinion, should this period be and what course of study should be prescribed for the probationers?—One year's probation in England is enough. I am not sufficiently well-informed regarding the nature of the work done during the period of probation and the training subsequently received to be able to answer questions (31) to (35).

30251 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian language, and, if not, how could this best be remelied? -Very few Europeans talk in vermicular with persons knowing English and so the latter have seldom any opportunity of testing their knowledge of vermenlar languages. With the spread of English education it is but natural that less need should be felt of the knowledge of these languages. Moreover, officers cannot be expect-ed to moster three or four vernacular languages. If it were possible to confine their work to districts speaking one language only, there would not be much difficulty in learning that language well; as it is, if special promotion be given for proficiency in the vernaculars, it is possible to raise the standard of knowledge in the services

\$0252 (87). Pleaso give your views as to what steps (if any) are necessity to improve the proficiency in the knowledge of law of member. of the Indian Civil Service, distinguishing between recommendations applicable to all afficers and to officers selected for the Judicial branch?-Selection of members for the Julie'al Service should be made without loss of time, i.e. within about two years of their james the service. After selection, they should pasrigorous test in low. Special facilities should be afforded to them to gun both practical and theoretical knowledge and the Judicial Service should be made more tompour by botter proports of promition than in Because and other branches of Executive - ryice.

30253 (28). Do year exement any special course of study in low in India for efficient selected for the Judicial brosch 1-1 think the studies prescrit- I for the LLB, examination will generally serve the purpose with some alterations

20251 (C.). Do you recommend may enable estable (a). Do you be removed that species training in subor limite judicial posts in India, for officers selected for the judicial branch to I to y please give details t—Before taking up up public 7th March 1913 7

Rao Bahadar Raghunath Vyankali Sabnis;

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work they should have opportunities of dispos-ing of original civil cases. 30255 (40). Is any differentiation desirable in acystem of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the sungers of his angesty? It so, pease state the special arrangements that you recommend?—If possible, the training of persons other than Natives of India should be so directed as to give them an intimate knowledge of the past social history and the peculiar traits and idiosyncrasies

of the different communities in India \$0256 (41). If you have recommended the inroduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited ?-- When selection is made from the Provincial Service of men of tried ability and merit, no system of probation is necessary. If men are selected by the results of a simultaneous non are selected by the results of a simultaneous examination in India, ji will be absolutely necessary that they should be under probation in Begland for a period of two years. There they should have opportunities of mixing freely with Buropenan belonging to higher grades of society and studying their civic institutions. 90257 (24). Is any differentiation necessary in regard to the probation and training of members of the India. Full Service who so. Natives of

of the Indian Civil Service who are Natives of India as between persons of unnixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

30258 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It will be desirable to increase the salaries proportionately so as not to put to a loss officers already in receipt of the allowance. The new scale of salaries should be made applicable to all, including those who may not be in

receipt of the allowance now, 30259 (47). Turning now to the case of the Statutory civilians and officers of the Provincial Civil Services holding listed-posts, approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

#### Tritten answers relating to the Provincial Civil Service.

30260 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix Are these conditions suitable, or have you any recommendations to make for their altera-tion?-The rules are quite suitable for the présent.

30201 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any

recommendations to make for their alteration ?

They are suitable,

30282 (03). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes, unless there be difficulty in securing a fair number of suitable candidates.

30268 (64). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?-I do not think they are duly repre-sented. It is desirable to take measures to secure adequate representation though not at the cost of efficiency: I think colleges should be asked to give names of suitable candidates representing different communities, bringing to the special notice of Government men of calibre from the backward classes

30264 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? other appears state your objection, and what other arrangements you recommend ?—Yes, 30265 (56). Do you consider that the numbers of officers authorised for the various grades of

your Provincial Civil Service are satisfactory? If not, please state your views? "I think thatthere should be some increase in the mimber of officers in the higher grades. If the number of appoint ments in the grade of 200 of Setond Class Sub-Judges is much too large. If possible, it may be reduced and the number in the higher grades increased. But, the difficulty will dis-appear altogether if the radical remedy of time-

scale for promotions be adopted.
30266 (57). To what extent are the functions of the officers of the Executive and Judicial

branches of your Provincial Civil Service différen-tiated? Is any change desirable, and; if \$0; in what direction?—The Executive and Judicial functions are separated in all civil and higher grades of criminal work. It is only in the magisterial criminal work that there is a combination of the two functions. It is not that it results in miscarriage of justice, though it may not be impossible to meet with isolated instances of injustice due to such combination. I think there are hardly two opinions on the abstract question of the justice and propriety of the separation of the Executive and Judicial functions. If funds are available, such separation is desirable. But, if I were asked whether the available funds should be applied to such separation or to the extension of primary education or improvement in village sanitation, I would; without hesitation, give preference to the two-

30267 (58). Are you satisfied with the present designation "The Provincial Civil Service?"

occasionated in Frontier CVIII cervice? If not, what would you suggest?—Yes:
30288 (59). Do you accept as suitable the principle recommended by the Public Service. Commission of 1856-87, and since followed; that the conditions of the Provincial Civil Services as the conditions of the Provincian Civil between the regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed I if not, what principle do you recommend!—I think, in fixing such salaries, two considerations should be borne in mind-(i) securing efficient men for the service and 7th March 1913.]

Rao Babadur RAGHUNATH VYANEAR SAUNIS.

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(ii) enabling them to live in a style suited to the dignity of their office.

30269 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes, no alteration is necessary for the present except in the number of appointments in the different grades which may be revised, or the alternative measures suggested in my reply to question (56) adopted.

30270 (61). Do you approve of the arrange-ment by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for

the various appointments?—Yes, 30271 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—No, I think they are suitable.

30272 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I think compulsory retirement after the age of 55 should not be a hard and fast

rule. Officers actually incapacitated for work may be compelled to retire. I have known officers, though not many, who have enj well pensions more than 20 years after their retirement. In such cases, Government lose doubly, They lose pecuniarily to the extent of the amount representing the pension, and the service loses the benefit of the ripe experience and knowledge of such officers. The keeping of such men in service for a longer period will, of course, affect the prospects of promotion of junior members of the service; but as suggested by the [ride reply to question (56)], if the time-cale of promotion to different grades be introduced in all graded service, the difficulty will be avoided and the prospect of promotion will no longer be a matter of chance. Men of distinguished capacity and character or exceptional industry may receive special recognition by being pro-mated before the proper time. This may add a moted before the proper time. This may add a little to the expenditure, but the savings effected in pension may cover such additional The details will have to be worked expense. out, but the trouble spent in doing so will, I think, be amply repaid.

30273 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?-Yes,

### Rao Bahadar Raghunatu Vyanean Sarnis, called and examinel.

30274, (Chairman.) Can you tell us what your caste is ?—I am a Káyasthá Prabhu.

30275. What position do you occupy ?- I am new Diwan of Kolhapur.

30276. Have you held that position for long?-For about 13 years.

30277. You are opposed to the institution of simultaneous examinations, and think that threefourths of the posts of the Indian Civil Service should be filled by Europeans and the remaining 25 per cent by recruitment in India. Would you recruit in India through the medium of a competitive examination?—No.

30278. Can you explain what course you would take for that recruitment?—Nomination or selection.

30279. Combined with any qualifying examination?-A proper relection of well educated

S0280. What kind of qualifying examination would you suggest?—The University examinations would be the qualifying obsectional tests.

80281. You would select from the graduates?—

30282. What kind of body would you insti-tute to make the nominations?—The present Board that nominates will do equally well, the Secretaries and the Government.

30283, The Local Government?-Yes.

30284. Would you nominate from each Province through its Local Government ?- Yes, I have suggested in one of my answers that the names might be put forward by the College authorities.

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\$3285. You would leave the door open in England for any Indians to enter in that way ?-

30286. Do you think that Indians recenited in the way you suggest would be regarded as holding the same position and status in the Indian Civil Service as those who entered through the competitive examination in Englant?-No.

30287. Do you think it would be injurious to the service to contain two classes?-Perhaps it weald be a little.

30088. Do you suggest that the cardilates who are nominated in India should go for a peri d of protestion to England?-No.

30289. They should be nominated in India and go direct into the service? - Yes, My propo-1 is for nomination from amongst the members of the Provincial Service.

30290. Do not you think a course of training at an English University would be a learlie for those candidates before they entered the raving?-I do not think it is necessary.

20291. What kind of training would we give them?-They are to be comicated from amongst the members of the Previocal Civil Service, those members who have had experience of that service.

30292. The wirle 25 percent year harvested-its are to come by selection from the Privided Service?—Yes. I have also referred to select infrom amongst pleakers, and that is the only exception I have made.

30293. You would allow some Phalers to be recruited : etherwise, the whole of your recruitment 7th March 1913.1

would come through the Provincial Service?-

Yes. 30274. That would mean the abolition of the listed posts ?-No, I would leave them. The men are to be selected from the Provincial Service and are to be promoted to the listed posts and the listed posts will consist of the 25 per cent, which I propose should be the minimum for Indians. 30205. You do not

You do not propose to recruit into the Indian Civil Service but to the listed-posts?-Yes, and the listed-posts would be composed of 25 per cent.
20206. You do not propose that the listedposts should be absorbed into the Indian Civil

Service ?-No

30297. They are to remain as they are?-Yes

30293. Unless, of course, more candidates came through the London door, the pests held by Indians in the Indian Civil Service would not be increased? -- Not more than 25 per cent,

30299. For the present, you do not think it is necessary to have a separate method of recruitment for the Indian Civil Service?-No; unless the exigencies of the service require it, but, for the present, I do not think it is necessary.

33300. Do you consider that the experience an Indian Civil Service officer obtains on the Exe-cutive side is of value to him when he joins the

Judicial Branch ?-Yes, it is.

30301. You think that a man should form the Judicial Service after two years' Executive experience. Is not this period rather short?—It but we have to make a choice between two evils, if I may so call them.

30302. Do you see an evil in an officer remaining on the Executive side for four, five, or six ing on the Fractive sale for rour, are, or six years ?—I think it be stays there for a longer time he will not be quite fit for a Judicial post. I think four or five years may not have much effect, but if it is more I think it will be.

30303. So that, on the whole perhaps, bifurcation after five years might be preferable to two

vears? - Yes.

30304. You are in favour of affording special facilities to officers who are selected for the Judicial Service to enable them to become efficient in their

work ?-Yes. 30305. In your answer to question (23) you say, that if it should be decided to hold a simultancous examination it should be for some years to come a close examination open to the backward classes only. What is your particular object in suggesting that this examination should be limited to the backward classes?—My idea is that there should be more persons in the service from amongst the backward classes for a certain number of years to come, and as far as possible they should be encouraged by giving them facilities, and this would be one of the special facilities; that they alone for some years to come should be allowed to appear for this examination. 80306. What would be the classes which would

come under this category?-The Maráthas, the Rájputs, the Lingaits, the Jains, &c., who are all backward classes,

\$0307. Your examination would be limited to candidates drawn from those particular

classes ? - Yes.
3030s. And the more educated classes would be excluded?-They would have the open door in England.

30303. Do you think that such a proposal would have, as you call it, a levelling-up effect?-

30310. Might it not also have rather :a levelling-down effect regarded from the point of view of efficient administration?-It attempt at levelling-up not levelling-down. I want to raise the other classes to the level of the educated classes,

\$0311. You do not think there would be any dager that in your attempt to level up your might run the risk of leveling down the efficiency of the administration?—No, I do not see how it can be so because they will have to pass the same examinations.

30312. You say that the junior branches of the Provincial Judicial Service are paid too low and von would like to see a grade of Sub-Judges at Rs. 200 ?-Yes, second class Sub-Judge.

30313. And you would like to see the grade of second class Sub-Judge, which numbers at present 41, materially decreased? - Yes, It takes a long time for officers in that grade to reach the

higher grade.
30814. On an average how long would you say an officer takes to get up to the Rs. 300 grade?—I think it takes about 12 years.

30315. Would you remedy this by increasing the second and the first grades or would you prefer to see a time-scale right through ?-I would prefer the time-scale.

30316. Would you retain the fourth grade, or would you like to see, what some witnesses have suggested, the absorption of the fourth grade at Rs. 450 into the third grade?—If it could be abolished so much the better.

30317. Would you say from your experience that the officers recruited to the Judicial Brauch of the Provincial Service are all of a good standard and calibre?—Yes.

30318. (Sir Murray Hammick.) Have you ever been in England?—Yes.

30319. What was your carear before you were Diwan? -I was Chief Revenue Officer in the same State for some time and Chief Secretary to His Highness the Maharajah; before that, I was in the Educational Service under the British-Government.

80320. I take it from your evidence that you fear if simultaneous examinations were instituted two results would happen. One would be that the British elament in the service would be eliminated to an extent you do not want to see, and the other is that it would be climinated by one class of Indian, namely, the Brahman of Western India, and that also you do not want to see?-Yes.

30321. Can you tell us whether there is any feeling at present throughout your part of the Deccan, and especially, the South of the Deccan, against the Brahman caste?-Yes,

30322. There is a considerable movement, is there?-Yes.

30323. I understand that the Linguits bave a strong movement in that direction ?-They

30324. And there is another large class of people in other districts who have established a

continued.

society for the purpose of resisting the Brahman

influence?—They have. 80325. In your opinion, if simultaneous examinations were brought about, there is considerab'e danger that in a very short time the English eliment would to a great extent suffer owing to the educated classes of this country gatting the greater number of appointments through the examina-

tion? - There is that possibility. 20826. With regard to your idea of selecting from the Provincial Service, I understand you would like to see the Indian element increased by practically making the Provincial Service a kind of probationary period in order that the Government might estimate the quality of the officers in the Provincial Service and then put them into

listed posts? - Yes. 30327. Have you thought out at all the difference between putting a man into the Civil Service uself and putting him into a listed-post? At present, the Provincial man who is put into a listed jost, say a District Judgeship, cannot be anything more than a D.strict Judge, and if he is put into a Collectorate he cannot be anything more than a Collector; he is given that post and that post only. Bu: supposing, the suggestion was made post only. But suppressing, unsuggestion was made that officers in the Provincial Service should be chosen after one or two years' trial and put in as Assistant Collectors or as Assistant Judges, and allowed to rise in the service exactly as the members of the service now rise, would you approve such a scheme as that?-Yes.

\$0328. By that means the men who are put into the service would get their rank and status exactly as if they had entered through the competitive door?—Yes.

30329. You would approve of a system of that kind?- Yes.

30330. At the same time you would like to see a certain number of Judioia appointments given to members of the Bar. Have you thought out any propertion that you would like to give to the Bar?—I have not thought of any proportion, but I should think it will all depend upon the number of members from the Provincial Service that will be available. If there is a smaller number available we might take a larger number from the Bar.

30331. Do you think you would get good pleaders with considerable practice to take the appointment of an Assistant Judge, or would you recruit them directly as Judges?—As Assistant

Sessions Judges.

30332. Do you think you would get men from the Bar?—I should think so,

3.233. Is the idea of bringing in these men from the Bar for the purpose of improving the service or for the purpose of improving the prospects of the Bar?—I think both.

30334. From what you have seen of Civilians at the present day you think there has been no deterioration, as far as you can see, in the stamp of young men who are coming out to India now ?—I have not much experience of them. 30335. But in any case you would like to see

the modern Civilian coming out better equipped in the sause of knowing more about the people, their customs, their religions, and their habits, and able to take a more sympathetic view of them?-Yes.

30336. And for that purpose you would like to see the training in England improved? -Yes.

30337. (Sir Valentine Chirol.) With regard to what you say as to the results of simultaneous examinations increasing the influence of particular castes and classes in this country, does that arise from personal knowledge of the drawbacks due to the a-cendancy of those classes ?-Yes.

30338. You come from a country where the interests of the Indian masses have suffered within much more recent times probably than any other part of the country from the ascendancy of those

cla-ses? -Yes

30339. Therefore, you hold that the interests of those classes from which the great masses of what are called the Western educated Indians are recruited, are not always in harmony with the interests of the Indian masses?-Quite so.

30340. You desire that an Englishman should come out, if anything, better equipped than at present, and with a greater knowledge of Indian conditions?-Yes.

30311. Is that in order that the English Civilian who comes out here should be better equipped to obtain a knowledge of Indian interests from the masses of Indian people, from what you call the backward classes, than solely from the educated classes who are best acquainted with the

Buglish?-Yes, that is what I mean Buggish (-10), one consider that, at present, the Buggish Civilian is sometimes, or generally, more conversant and more sympathetic with the interests of the Indian masses than the members of

the higher classes to whom you refer?—I think so, 30343. The English Civilian takes a greater interest in the welfare of the masses than the majority of members of those higher classes?—I think so.

30344. In the State in which you are serving new there has been of late years a distingt-conflict between the aspirations of the backward classes to emancipate themselves from their position of inferiority and the higher classes ?- Yes.

30345. And you believe that in such a con-flict the best assistance the masses can derive will be derived from the English official and the maintenance of British influence in India?—Yes.

30346. Therefore, you believe that the ascendancy of British influence in the administration is essential in the interests of the masses of this

country?—I do.
30347. (Mr. Madge.) In clause 3 of your
Memorandum, you make the profoundly true
remark that Indian civilisation is based mainly on the foundation of religion. One class of Indians might conscientiously adopt Western sauctions and standards, and another class of Indians may and statement and attention class of manner may adhere to Indian standards and sanctions. What do you think are the prospects of a man retaining use-ful influence with his countrymen if he takes

neither of these courses but just stands between them ?-I think he will have some influence, but not much, with the masses.

30345. In answer to question (11) you say that for the present it is not necessary to have a a separate method of recruitment for the Judicial Service. Do you say that because you think that during the earlier period of a Civilian's career he acquires valuable experience from his general duties which become of use to him later?—That is one of the reasons.

30349. But in answer to question (57) you say, that if funds are available such separation is desirable. I think you say that there are hardly two opinions on the abstract question of the justice

Rao Bahadur Rageunath Vyankaji Sabnis. 7th March 1918.1

Continued.

and propriety of the separation of the Executive and the Judicial functions. These two potions need not be contradictory ; you may be contrasting the abstract with the concrete and the practical Is it that you think the separation should take place at a later stage than some people advocate, or do you think it is desirable in the abstract to consider public sentiment?—Yes, if that is done it will be considering public sentiment.

30350. Is that your main reason?—Yes. 20351. In answer to question (11) you speak to be in a sawer to question (11) you speak of a supplementary method of recruitment from Pleaders and Barristers and say that the measure would be likely to have a beneficial effect in other directions because the Bur is an influential factor most of the public activities. I ask for information without any preconception on the matter: do you think that Barristers and the legal profession, generally, have taken any active part in the moral or economic advance of the masses?—I think they have.

30352. A man's beneficial influential character in the community depends rather on the service he renders without pay, from a public spirit, than his actual professional service?—I think that is so.

30353. As regards the Statutory Civilian, whose restoration you would not approve, do you think that the system was bad in itself or that the selections were unfortunate?-I think some of the selections were unfortunate: I cannot sav that the system was bad in itself.

30354. Apart from the system of competitive examination, is there any method of enlisting in the public service men of undoubted character who exist in this country? Have you formed any idea of any plan of getting such men of character and talent into the service?—It is difficult to get such men.

30355. It is difficult, but I should be thankful if you had any opinion on the subject?—My opinion is that it is difficult to get men of that

20356. Do you mean they are so wedded to one system of thought and feeling that they can not be brought to change it for our more scientific not be cronged to change to the outer that of the course the order to be many persons thoroughly fitted for the dulies they have to perform, and therefore it is difficult. We may get a few men here and there. I think the old system failed because there was not a field to select from and Government had to make a selection of persons from a very limited field, and probably those who were selected did not prove a success.

80357. Every new and then we come across a splendid character who has risen to eminence out of Government service, and we think what a grand thing it would have been if he could have been brought earlier into the service. You cannot help s to find any system of bringing in such people ?-

30358. (Mr. Fisher.) In the State of Kolhápur are the Executive and Judicial functions united or separated?-They are not quite united in the same way as they are united in British districts. For instance, our District Magistrate has only the duties of a District Magistrate and not the duties of an Executive officer, like the Collector here; of an executive outer, the the conference near, whereas, our Sub-divisional Magistrates and Mamlatdars have to perform both duties. In some cases, they are united and in others they are separate,

30359. Is there any feeling in Kolbápar that the separation should be carried further?-Not much, so far as I know.

20360. The question does not excite any nterest ?-No.

30361. I gather that you yourself, while hold ing that there is an abstract case for the separation of the Judicial and the Executive functions, think in the first place that there is no great actual injury resulting from the present state of things, and in the second that the process will be costly ?-

30362. You think that the money might

better be spent in other ways?-Yes. 80363. Can you give me any idea as to why and how it costs money to separate the Judicial and the Executive functions?—We shall have to appoint so many different officers; the work that appoint so many directed contents the work may is done by one officer at present will have to be distributed among two officers, and to make the officers efficient they will both have to move about. in the districts.

80364. Would there be any further expenditure in respect of keeping two offices instead of one, and so on?—Not that I can think of.

80365. (Mr. Macdonald.) Were you educated in England or did you only just visit England?-I was only in England for a few months on a visit.

30366. So that, whatever, you have done as an administrator in defending the lower classes against the Brahmans has not been done on account of your having received an English education ?-No.

30367. Have the Brahmans against when you have been complaining, been educated in Rugland ?-No.

30368. They have been educated in Indian-

Universities as a rule ?-Yes.

30369. So that, they would be the sort of people who would probably benefit by simultaneous-

people was word probably selected by sandaceners examinations?—Yes, 30370. Why do you suggest that the separation between the Executive and the Judicial functions netween the isxeentify and the Judicial functions-should take place if there is no grievance at present?—I have not suggested it, I simply said that looking at the question from an abstract point. of view the thing worked out in that way, but that, for the present, it is not necessary to separate the Judicial and the Executive.

20371. When you expressed an opinion that a separation should take place between the Judicial and the Executive functions you put forward that opinion as an abstract question of justice and propriety?—I put it forward as an abstract question, as practically it is not possible I think.

30372. Does it give rise at all to a suspicion

that justice is not always done?-Yes, that is possible in some cases.

20073. But do you find, on the part of the public that you come in touch with, that there is this suspicion about it — Only in some cases, not generally, and especially where Executive efficers are concerned with decisions in a case.

80374. Is that at all frequent?-No, it is

very rare. 30375. (Mr. Sly.) In your answer to question.
(18) you suggest that the post of InspectorGeneral of Police and the post of Police Commissioner in Bombay should be included in the scheduleof posts reserved for the Indian Civil Service. Why do you want those included ?—I think if those-

Continued.

posts are held by members of the Civil Service there will be greater confidence in the administra-tion of the Police.

S0376. You wish to prehibit the appointment

of efficers of the l'elice Service to those appointments ?-Yes.

\$0377. (Mr. Chaubal.) Do you want to have the jost of Inspector-General of Police reserved for the Irdian Civil Service because you consider the members of the Indian Civil Service are expert in Police administration, more so than persons who have been trained to Pelice work in the Police Department ?-No, it is not for that.

30878. What is your reason for saying that those places should be reserved for the Indian Civil Service when the Indian Civil Service training does not necessarily involve any special training in that department?—I am speaking with reference to the people. I think the people will have more con-fidence, the consequence of the Police Department are more or less looked upon with a

sort of suspicion.

30879. How often do people come in contact with the Inspector-General of the Police? - They do not come in contact with him.

38580. The public as a general rule come in centret with the lower officers of the Police?— Yes

20381. Then it is more necessary that the lower posts of the Police Service should be manned by Indian civilians than that the Inspector-General should belong to that Service ?- I think the person at the head of the administration should be an Indian Civil Servant.

20382. With regard to the employment of Indians in the Indian Civil Service, I take it that your one-fourth is the limit of the employment of Indians from all sources?—Yes.

20383. What would you do if the English competition door allowed more than one-fourth to enter ?- That is quite separate; I do not include that.

30384. You have said that according to your opinion one-fourth is to be the number of Indians in the Indian Civil Service: what would you do if under the present open competition system in Lendon more than one-fourth passed?—That is irrespective of the one-fourth. I say let them come

in by the open door in England in any numbers. 20385. Whatever number came through the open door, even if that number was larger still, you would have this additional one-fourth?—Yes.

30386. Did I understand you to say that the one-fourth, which was to be recruited from the Provincial Service and do identically the same work which the Indian Civil Servant does, was to be paid two thirds ?—Yes.

pant two-tures — tes.

30387. Why do you make that differentiation?—I do not think they have spent as much
as the pursons who came out from England, and,
generally speaking, I believe thir standard of
living here will not be so high as that of those who

have passed in England. 30388. You would rather see the bifurcation between the Executive and Judicial functions occur

as early as possible —Yes.

36389. You suggest two years?—Yes.

30390. In answer to a question put to you by Sir Murray Hammick you said, you would not mind if it became five years; what is passing in mone if the pecame note years; what as passing in your mind when you limit it either to five years or two years, and why do you object to its being eight or ten years? If the experience is very useful

I suppose the more you get of it the better ?-No. 30391. Why do you think a larger amount of time spent in Executive work would be undesirable?-I think it may rather interfere with the acquiring of that Judicial frame of mind which is

necessary. 80392. Your idea is that the bifurcation should take place before the officer's mind has lost its Judicial frame and before the Executive frame of mind has taken complete hold of him ?- Yes.

30393. Can you tell me how the interests of the Brilmans in the administration of the country are opposed to the interests of the masses? Taking into consideration, the work done in the administration of the country by Indian Civil Servants, and assuming that all your one-fourth were Brahmaus, how are their interests in conflict with the interests of the millions we are speaking of?—I am not quite sure that I said what you are putting to me now What I think, I said, was that the backward classes should be taken into the administration in larger numbers, and that unless that was done there would be no levelling-up. They remain too far below, and it is useless to raise the superstructure unless the foundations are widened and strengthened.

30394. What is the object of levelling-up as you say?—The object is to raise India to a higher level. Unless you level up some classes who are at the bottom there cannot be any general rise. All the people of India must be more or less on a

30395. To you think that at present there is material from the backward classes to give efficient service in the Indian Civil Service ?- Yes, we shall get them.

30396. In the Indian Civil Service ?- Yes.

30397. Whatever proportion you fix in your mind, you think it will be to the interest of the country to have some recruited from the backward classes?-I do not mean at present, but that we

shall get them by and by.

80998. And you would suppress the legitimate aspirations of the other communities?—Certainly 80399. Do you or do you not believe that

under the influence of Western education in India a type of Indian is being evolved who is absolutely free from class and sectional bias?—Not many. 80400. But do you not believe that this type of

Indian is being formed in the country?—Yes, 30401. And that the number of that type is gradually increasing ?—Yes.

30402. And that the educated Indians who go to England and reside there for a certain time, and study British institutions are practically free from this sectional bias ?-Yes.

30403. You would have no objection to such men forming a part of the Indian Civil Service whatever easte they might originally belong to?—No.

30404. May I know why you think the simultaneous examination would necessarily result in bringing people in from one class only?—From the results of the University examinations. I think they would be much like those who come through the University examinations now.

80405. Do you think that the London examination is now bringing out people from one class?—I do not think I said soything like that. \$0406. You do not think that through the

English door a majority of one class of people come out?—They may, but not in such large numbers.

Continued.

30407. Is there a large number of people belonging to one class coming through the

English door?-No. 30408. Then why are you afraid that a simultaneous examination would result in anything else?—So many people have not the means of going to England, and those who are unable, owing to their poverty and other causes, will go in in large numbers for the simultaneous examination held here, that is to say, all the advanced classes.

30409. What you mean is that the poor but intelligent boys are kept back at present?-Yes

menigen says are appropriate that poverty is only confined to one class? Can you not find it amongst the Muhammadans and others?—Yes.

30411. Then why do you think it is only poor men of only one class that will come in ?- Because,

they are more intelligent.
30412. Have you enquired how many Muhammadane have got through by the English door?—

30413. With regard to your answer to question (36), has there been any deterioration in the knowledge of the vernaculars?—I am afraid I cannot speak with much personal knowledge of

30414. I simply asked because the last part of your answer suggests a suspicion that there is deterioration?—If it does I think that is not what I meant, because I do not know much about it,

30415. You do not feel competent to give any

opinion on that point? - That is so. 30416. Are those opinions which you have given your personal opinions or the opinions of your Durber?—My personal opinions. 30417. With regard to your answer to

your answer to question (57), about the separation of the Judicial and the Executive, am I right in assuming that you are answering those questions from your impressions of what you remember when you were in British India?—Yes, and from what I am seeing now, because I often go into British India. 30418. Your going into British Iudia in the

way in which you do now is surely no help to you?-I come into contact with the people in British India.

30419. But, your knowledge of the people and of those engaged in the work is not now what it was when you were in British India?-No, it

cannot be.

Generally, in connection with your official duties, you do not come into contact with the Civil Service at all new in your present office?-No.

30421. You have not much to do with Sub-

divisional Magistrates and Collectors?—No.
S0422. As a matter of lact, do you know that
this grievance about the combination of the Judicial and the Executive has been felt in the Bombay Presidency for a long time past?—Yes, 30423. Are Mamlatders and Subordio

Subordinate Judges men of the same social status and posi-tion?—Yes.

30124. Why do you think there should be

this long-standing complaint against one class of officers and no complaint against the other class of Officers "The Suborlinate Dudges have been done or Officers" (The Suborlinate) Dudges have been doing one kind of Judicial work and the Mismlatdras have been doing another kind of Judicial work; why is it that the people complain of the combination in one class of pressus and do not complain with record to the Judicial Cases — Theorem complain with regard to the other class ?- There is a combination only in the case of the Mamlatdars.

30425. But, what would it matter to the people if a man taught in a school for two hours and then did some other work. Is not this at the bottom of the complaint: that they find the combination is not working satisfactorily?-Yes.

30426. (Sir Theodore Morison.) I understand that your recommendations to this Commission amount to having one-quarter of the Indian Civil Service open to Indians in the Provincial Service and recruitment from the Bar to the Judicial

Branch?—Yes. 30427. You think that would be a fair and reasonable way of meeting the aspirations of

Indians? -Yes. 30428. And you recommend the Commission

to adopt that course ?-Yes. 30429. Can you tell us how that is likely to be received by the Indian public: Would they con-

sider it lamentably insufficient or would they consider it very generous? - I think opinion would be divided; some would consider it insufficient and some would agree with me that it was fairly sufficient all things considered.

30430. Is that the warmest praise that would be likely to be extended to it ?-I think so. 30431. You give this as your own recom-mendation and not as one which you think has a large body of public opinion behind it ?-Possibly

30482. (Lord Ronaldshay.) With regard to your answer to question (11), do you think that the attractions of the Service would be sufficient to induce what you describe as the best legal acoumen to leave the Bar and to take up these posts that you suggest should be thrown open to the Bar?— I think we should be able to get persons of good legal acumen from the Bar.

30435. But do you think we should get the best men at the Bar to take up these posts?-Not

the best

great to bring the best men from the Bar?— No. The attractions would not be sufficiently

30435. You say in answer to question (40) that, if possible, the training of persons other than Natives of India should be so directed as to give them an intimate knowledge of the past social history and the peculiar traits and idiosyncrasics of the different communities in India. I am not quite otherent communities in India. It am not quite clear how you propose to give the men this par-ticular training?—By giving them opportunities of mixing with the people by joining social clubs, and also by reading literature giving them information about the evolution of Indian society.

30436. De you advocate the preparation of text-books?—There are already books deading with those questions. I think they might stop get information by actual contact with Indian people in any social clubs wherever they may be. 30437. Under the present system of train-

ing do not the young civilians when they first come out from England go into the district and come one from sugand go not be asserts and mix among the people under the supervision of the. District Officer?—I am not quite sure whether they mix to the extent which they ought to, and I think greater opportunities should be given them to get a more intimate knowledge by mixing with the different communities and freely convers-

ing with them. 30438. Can you give us any practical sugges-tion for achieving your object?—The only practical suggestion that occurs to me is their actually joining some of these clubs.

30433. You think they should become mem-hers of native clubs at the District head-quarters, and that sort of thing ? - Yes.

30410. Do you think the clubs would be willing to make them members ?- I think so.

30411. With regard to your scheme for granting to Indians greater facilities for occupying granting to mains greater nations to occupying superior posts, the scheme which you suggested was one of extended istel-posts, but when answer-ing Sir Murray Hammick you agreed with his suggestion that instead of extending the number of listed posts you should promote these men from the Provincial Civil Service into the cadre of the Indian Civil Service itself?-I was not quite aware of the difference that was explained to me.

S0442. But do you perceive the difference now?-Yes, I think I do.

30443. A man who is promoted to a listed post is promoted to that post only ?-Yes.

50444. A man who is promoted to the endre of the Indian Civil Service would be eligible to occupy any of the superior posts for which he might be considered to be fit?—Yes.

\$0415. There is a considerable distinction between the two systems?-Yes.

Which of those two systems do you 304 16. prefer ?-The latter.

50417. By which you promote a man to the

cadre of the Indian Civil Service?—Yes 30448. If you did that you would be giving him the same pay as an Ludian Civilian and potting him altogether on precisely a similar status?—Not as regards the pay. In all other respects they would be in the same position as members of the Indian Civil Service.

30449. But if you do not pay a man the same for doing the same work do you think he would be regarded by the Public as a member of the higher Service, or would be not be regarded as occupying a rather different position?-There will be that

feeling of course. 20450. Would not that be rather a disadvant-

age?-It would.

30451. And if you were to give these men whem you promoted from the Provincial Service the same pay and treated them in every other respect as members of the Iudian Civil Service cadre, do you think they would be then regarded care, to you think they would be then regarded on precisely the same footing as other members of the Service?—Bren then I believe there would be some difference in the minds of the public, because they would not have had the opportunities of getting their education in Bugiand and of imbibling those ideas they get from contact with the British. In that way I think there would be still some difference.

30452. I supose that an officer who occupies a listed post under the present system is regarded as something not quite so good as a member of the Indian Civil Service?—That is so.

30453. Supposing that you had two adjoining districts, one of which was under the charge of an Indian civilian and the other under the charge of listed post officer, would the people in the District which was under the charge of the latter regard their District Officer as inferior to the District Officer next door ?-I think so.

30454. Generally speaking, do you think they would prefer to have an officer from the Indian Civil Service rather than a listed post officer ? -I do not think they would have any actual preference, 30455. If that is so, it really does not make

much difference whether they regard him as in

rather a different class or not? -It is simply what they would think about the matter. I do not think they would actually prefer to have this man rather than that man, but all the same in their minds there would be that feeling that the one is of a different calibre from the other.

30456. (Mr. Heaton.) With regard to the separation of the Judicial and Executive, you refer to the Judicial and Executive frame of mind. Would you mind telling me, if you can, what the difference is between the Executive and Judicial frame of mind, broadly speaking?—It is rather difficult to define, but I should think that the Executive frame of mind would not go into such minute details as the Judicial mind. The Executive would take a broad view of things, while the Judicial would weigh with greater precision all the minute details.

30157. With reference to points of Law?-Yes.

30158. Who are the people who complain about the want of separation between these duties?-I think the advanced classes especially,

30459. Have you any reason to suppose that the agricultural classes do so ?-I think they have hardly the education to understand what is meant by separation of the Judicial and Executive functions.

30460. So that to them apparently it is a matter of indifference?-Yes.

30461. (Mr. Bhadbhade). I see you have condemned the old statutory civilian appointments, and I find you advocate the system of nomination as regards recruitment to the Provincial Service. Can you tell the Commission what grounds of objection you have against the revival of that statutory system, and why those objections would not equally apply to a system of nomination in connection with the Provincial Service?—As I have already explained, the field is very limited and we arrendy explained, the data of persons required to fill these high offices from the aristocracy. That is what I think was intended in the statetory Service, that the selection should be made from the aristocracy.

30462. I understood it was a system of pure selection and nomination?—I think it was nomination from men of some hereditary rank, but, I am not quite sure about it.

30463. Why do you want a system of nomina-tion plus qualification by University examination plus qualification by University examina-tion?—I do not see how they are to be appointed if they are not appointed either by nomination or by the results of the University examination.

30464. Would there be any objection to taking them on the results of the University examination?—Yes. The advanced classes would get the advantage.

80465. You are a special advocate of the depressed classes? —Yes; of all backward classes.

30486, (Mr. Joglekar.) In reply to question (54), as to whether all classes and communities are duly represented in the Provincial Service and whether you consider that that is desirable, you say you do not think they are duly represented and that it is desirable to take measures to secure adequate representation though not at the cost of efficiency. Would you require some University degree as a test of efficiency?—Yes,

30467. The B.A. or the M.A?-Either the B.A. or the M.A.

236

764 March 1913.]

Rao Bahadur Raghunath Vyankali Saunis.

the caste, if a sufficient member of competent men \$0468. You would appoint only men who are available. have some University degree !- Yes.

30469. Then what would be the idea of your adequate representation? Would it be on the

number of B.A.'s in each caste, or the population of each caste, or what? Supposing, you were told to appoint adequately a number of Collectors of each caste, on what principle would you do so ?—I do not wish to appoint only those men; I would rather have, if possible, persons belonging to the backward classes.

30470. On what principle would you appoint them ?-As far as possible, on the population of

HENRY STAVELEY LAWRENCE, Esqr., I. C. S., Collector of Karáchi. Written Answers relating to the Indian Civil Service.

30474 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle? - No. No private firm recruits its employés by open competition. The business of the State is no less important and delicate, and requires the adoption of equal precautions against injury by undesirable recruits.

\$0475 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—A proportion of the successful candidates are deficient in character, physical vigour and the power of command; (i) a system of nomination before admission to the examination; (ii) a period of probation of three to five years in actual service

in India.

\$0476 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—If the assumption be admitted that the Indian Civil Service exists for the purpose of maintaining British ideals of administration, the system is

equally suitable and equally unsuitable. 30177 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?-No.

30478 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?-It is a convenient arrangement for reasons?—It is a convenient arrangement dis-candidates, and I am not aware of any discomplaint heard in the press that the best men are deterred from coming to India is based on the theory that the top men in the examination are the best-a theory which is opposed to all practical experience.

\$0479 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?

Do you recommend a system based on any of
the following principles:—(a) Selection by the following principles:—(a) Selection by headmasters of schools approved or otherwise; (b) selection by authorities in Universities approved or otherwise; (c) nomination by head-

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30471. And not on the number of graduates . in that caste ?-No.

30472. You would take the population only ?-

\$0473. In reply to question (56) you say, the number of appointments in the grade of Rs. 200; Second-class Sub-Judges, is much too large: have you any similar recommendation to make with regard to Mámlatdárs ?—No ; I am afraid I have not gone into the details.

(The witness withdrew.)

masters or University authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; (s) any other method?-I recommend a system of combined nomination and examination. The headmaster of every important school (public or grammar) should be given a limited number of nominations. These nomination certificates should be further endorsed by the authorities of a college at an approved University, and the Civil Service Commissioners should be empowered to reject any school nominations unfavourably endorsed at college. From the candidates so nominated selection to follow by competitive examination. After selection a period of probation in India. Indian candidates would receive their certificates from the High School or affiliated college which they bad attended, and would also be required to attend

an approved University in the United Kingdom. 30480 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I consider it would give rise to very grave evils. At first very few Indians would be successful. There would follow complaints of racial prejudice of the examiners; demands for Indians as examiners; surrender to political pressure; and the division of appointments between India and England. I am of opinion that the Indian Civil Service should be retained as the chief bond between the Indian administration and the British Government; and that for this purpose it is necessary that it be recruited wholly in

30481 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?-

30482 (9). What would be your opinion with . regard to filling a fixed proportion of the regard to mining a fixed propertion of an ex-vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or groupof provinces in India? If so, what proportion do you recommend?—I lay great stress on the necessity of the recruitment of the Indian Civil Service in England alone. Instead of admitting Natives of India to the Indian Civil Service by examination in India, I recommend that (i) the pay and status of the Provincial Civil Service be raised, and (ii) a larger proportion of the superior posts held by the Indian Civil Service be thrown open to them. This propor-

Continued.

tion may be one-fifth for Bombay. In recent years in Bombay one-eighth of the Indian Gril Service have been Natives of Ludia; in combination with the Provincial Civil Service, Indians would then hold 13-40 or practically one-third of these superior posts.

30183 (10). If you do not approve of simultaneous or separate examinations in Iudia, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?-I am of opinion that the Indian Civil Service should be recruited wholly in England. Indian aspirations for increased power and responsibility and emoluments can and should be met by an expansion of the conditions of the Provincial Service. Officers who work through the grades of the Provincial Service should be selected for promotion to the posts of Collector and District Judge and other superior posts. I consider it essential that public offices should not be the monopoly of certain communities - a result reasonably to be apprehended from pure competition held in India. I do not consider it necessary that all classes and communities should be represented; this would be impossible of achievement.

9053. (11) If you are in favour of a system for the part recruitment of the Indian Givil Service by "Natives of India" in India, do you consider that "Natives of India" is India, do you consider that "Natives of India" should still be eligible of the India" should be supported that right to other natural-born selves of III: Aliquesty "—I am opposed to any recruitment in India, but I consider that the xamination in Beginal should, in all circumstances, the open to Natives of India Induary thereby proved that they possess the qualities of courses, persevenance and self-qualities of courses, persevenance and self-qualities of conduct required of the Indian Civil Service.

Souther required or the infland of with regard any system of selection in India which you may recommend for young men who are 'Natives of India's a being in lieu of, or as supplementry to the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services (1—12 see no advantage in the direct appointment of young men to listed posts. The contrary policy should be pursued of building up the Provincial Service.

30486 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No.

30487 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Yet., c. 3), as including "any person born and domiciled within the Deminions of His Majesty in India, of parents habitually resident in India, and not established there for temporary

purposes only," irrespective of whether such persons are of unmixed Implan descent, or of unmixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes.

3048S (15), If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an Intermediate stage of education? -I recommend the age of 22--24, and that candidates should have completed the University course. In the strenuous conditions which now prevail in India, men of comparatively meture judgement are required. Further, if the system of nomination to the examination is adopted, it will be of great value to have the certificate of a headmaster endorsed by a college

authority. 30489 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly, under the systems in force from 1878 to 1891 (age-limits systems in force from 1076 to 1067 (age-limits / 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 1-23 or 22-24 years followed by one year's probation) ?-I consider the merits of the two classes of men to be very much alike. There was, no doubt, more risk of ill-advised levity of conduct among the younger men. On the other hand the older men have been less willing to perform the drudgery of the duties allotted to junior civilians ; and when they have been kept too long on trivial duties there is a loss of keenness and efficiency. When the age of entrance was raised, salaries should have been increased and promotion quickened. Salaries sufficient for men of 21 recruited from school are insufficient for men of 25 recruited from the University. I regard it as important that every man should be certain of acting as a tone every man should be extend of annuages a Collector or a Judge or in analogous special appointments at the age of 32; and that the cadre should be regraded accordingly.

30490 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Good with some exceptions, 30491 (18). What is the most suitable age at

which junior civilians should arrive in India?

—Twenty-four.

30492 (19). What age-limits for the open competitive examination in Beginds would best sait candidates who are "Natives of Insita," and for what reasons! Do you recommend any differentiation between the age-limits for "Netwes of Insita" and for other natural-horn subjects of His Majesty !—I recommend no differentiation of age-limits. So far as I can judge, the present age (22—24) should sait them bast. It gives a man time to take" ourse at an English University after he has acquired a sufficient through go fEnglish and experience to enable him to contend with the difficulties of life in a foreign country.

30493 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since

followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period —Yes, 30494 (22). Is any differentiation in the sub-

jects for the examination desirable between can-didates who are "Natives of India" and other candidates? If so, please state them and give

reasons ?-No. reasons:--xo.
30495 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" enore to you consider that Natives of India might, under present conditions, properly be admitted?—(i) Yes, two-thirds; (ii) one-third inclusive of Natives of India who pass the

examination in England. 30496 (25). Do you accept as generally satis-factory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict e. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) ? you recommend any alterations in this system, and if so, what? I regard the principle of the present system as satisfactory; but I consider that appointment to listed posts should be confined to members of the Provincial Civil Service.

30497 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recom-

mend?-I do not recommend its revival 30498 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers and (b) others, and give details of the latter ?-In Sind, the Commission had a mixture of military officers and other officers combined with Indian Civil Servants, when I first served in that province from 1898-1897. No such officers are now employed there. I was acquainted with two military and seven others, Colonel Orawford, Colonel Mayhew, Messrs. Watson, Giles, Steele, Mules, Mackenzie, Boulton and Price.

30499 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case, may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?-One military officer per annum adopted?—One military officer per annum would probably be a valuable addition to the

30500 (82). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian Services ?-The appointments should be restricted to one per annum and the Provincial Government should have the option of selecting from the Army or, any other Indian Service, the appointment being of a junior officer to the bottom of the service who should thereafter take rank as, one of the cadre

30501 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions ?-(a) No; (b) No.

30502 (33). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes and why?—The list can be enlarged to one-fifth of all posts, but in filling the posts it will be necessary to respect the claims of Indian Civilians recruited before the enlargement of the scope of the Provincial Civil Service.

30503 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a tioner's course of instruction in England? Do you recommend the continuance or abolition of this system?-At the present age of entry, I consider the one year's course is harmful. It brings the officer out too late, and adds little of value to his knowledge. It should be abolished.

30504 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examina-tion, (b) under any modification of that system recommended by you?—There should be no probation in England under the present system. (ii) If the age be reduced to 17, 18 or 19, there

should be two years' probation at an University, 30505 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, if there be a probation.

30506 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend ?-£250 per

30507 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course

of study do you recommend?—None. 30508 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions ?-No.

30509 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after

completing a University course ?-Yes, Yes, 30510 (52). In particular, please state your opinion as to the desirability during the period

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of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the Grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of
(a) Indian Geography, (b) Political Economy,
(c) Accounts!—If there is a two years' probation of young recruits, these subjects should be taught.

30511 (53). Do you consider that the proba-tioner's course of instruction can best be spent in England or in India ?-18 to 20 age, two years in England; 22-24 age, one year in India

30512 (54). What is your opinion of a proposal to start at some suitable place in India a college to start at some samone page as a surger of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not

approve of it. 30518 (55), What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suit-

able centre !- I approve, \$0514 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental lenguages and in law required by pro-bationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The view of the Treasury Committee is correct, but it is a counsel of perfection unsuited to the necessity of bringing men out to service while yet they are young. Sufficient instruction can

be given in India.
30515 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruit-ment in England, please state what system of probation you recommend for such officers? - I disapprove entirely of any recruitment in India

for the Indian Civil Service.

30516 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken on the induction of the control of t is satisfactory.

30517 (61). Is the existing system of Depart-mental Examinations suitable and, if not, what change do you recommend ?-Formerly there were two examinations in the Varnacular language. Recently, one was abolished. I consider it should be re-established. In other examinations in the Vernacular respects, the system is suitable.

30518 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the

Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied ?-A slight deterioration since the age was raised. Causes: (i) insufficient grounding in one year's probation; (ii) abolition of second language examination in departmental standard; (iii) growth of knowledge of English among Indians. In very rare cases is there any reasonable ground of complaint; but I consider the rules might be or companie; but I consider the roles higher to amended in the following two points: (i) No officer should be exempted from an examination until he has reached sixteen years' service; (ii) officers should be encouraged to pass examinations at any period of their service and should be entitled to rewards for so passing. The new provision of a "Proficiency" examination is a satisfactory measure.

8051# (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between reemmendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose? In regard to the Judicial branch, I think some such course as under should be adopted: (i) service in Revenue Department for four years: (ii) furlough for one year with study leave for six months (counting as service), during which the preliminary examinations of the Bar should be passed. An allowance to cover these Bar expenses to be granted in addition to furlough pay; (iii) then three years' service as Assistant Judge with the civil jurisdiction of a Subordinate Judge; (iv) furlough with special allowances for completing the course at the Bar. At ten years' service an officer would then be fully qualified 30520 (68). Is any differentiation desirable

in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so,

picase state your proposals?—No.

30521 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?-No.

30522 (72). The present theory underlying the conditions of service in the Indian Civil Service is that-(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per menter is assertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight 7th March 1913.]

240

Mr. H. S. LAWRENCE.

[continued.

years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Theories (c) and (b) are correct. The practice falls short, in that officers do not reach Rs. 1,000 per mensem after eight years and that Rs. 1,000 per mensem are egan years and that as, 1,000 per mensem is too low a limit for the definition of superior tosts. I think it should be raised to Rs. 1,200. The limit of Rs. 1,000 is suitable if the age is lowered.

80523. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency, in the ordinary course of promotion, charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the kwest grade, but not this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The standard of Rs. 1,000 is in-

sufficient and should be Rs. 1,200.

30524. (80) Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The present block of promotion indicates an insuffi-

einery of superior posts.
30525 (87). Are you satisfied that, under the
existing system of promotion the interests of
individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?-I advocate (i) a period of probation in India of three years; (ii) proportionate pensions after 15 and 20 years' service.

30526 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differen-tiated? Is any change desirable and, if so, in what directions?-So far as I am aware there are no grounds for a further differentiation in the Bombay Tresidency than already exists.

The term judicial functions is, of course, used in
the limited sense of "Magisterial functions; for except in one bookward tract (Thar and Parkar in the Sind Descrt) no Executive officer is a Civil Judge. In regard to the magistracy, I have never come across a case of an officer acting as a Magistrate in a matter in which he was concerned as an Executive officer; and with the right of appeal for transfers of which liberal use is made by the people, there is no ground of apprehension of scandal arising. Further, in this Presidency, the Executive and Judicial branches are differentiated from an early stage; and Judges do not, as in some provinces, return to Executive work. The main ground of criticism appears to me to be in the combination in the District Magistrate of powers of control over the Police, and of supervision over the subordinate that Police, and of supervision over the sucoromate magistracy. It is necessary, in my opinion, that he should retain these powers for he safety and protection of the public. Such control and supervision can be effectively exercised only by an officer who is frequently on tour in the district. There is one change I would advocate,

that Subordinate Judges be invested with magisterial powers. It is important that these officers, if they are to rise to posts of District Judge, should have experience of criminal work, and it is necessary in some districts to lighten the burden of criminal work that falls on revenue officers.

30527 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend ?—No. I consider that officers should rise to a salary of Rs. 1,200 after eight years; and begin to act as Collectors or Judges from that period.

30528 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Chiefly to the length of time required to attain the higher posts.

30529 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not ?-A time-scale would be satisfactory for the lower grades, and should be restricted to them-

30530 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of service is different?-The scale which I

.would consider suitable is :-

Initial pay 450 Each increment subject to passage of examina-560) 1 year to 2 600 2 years to 3 700

and by annual increments of Rs. 100 to Rs. 1,500 after eleven years' service. The same scale should apply to Judicial and Executive officers. Acting or charge allowences of higher posts would be additional. Approximately, this scale would represent an increase of 20 per cent. on the average salary of the first eight years from Rs. 625 to Rs. 750.

30531 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?-

30582 (109). Do you consider that the rates of furlough allowances are suitable? If not, what

changes do you recommend ?-Yes

30533 (110). Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupces, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of areastry, or in a cotony with a gold standard of currency, are issued in sketting at the privilege rate of exchange of the 62, the rupee? If so, what change?—No change, 30534 (113), Generally speaking, do any of the present leave rules applicable to the Indian Consequence of the administration and if a what any other cause inconvenience to the administration and if a what any other than a contract of the administration and if a what any other remarks are

Service cause mean out of what remety do you tion, and if so, what, and what remetly do you

leave are inconvenient. An officer should be allowed to take any leave he has earned whenever he can be spared without inconvenience.

30535 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this

difficulty be met ?-No.

30556 (110). Do the present leave rules applicable to Statatory Civilians, or to officers of the Frorincial Civil Services employed in listed posts, cause any inconvenience to the administration, or press hardly on the officers themselves, and in what respects! In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—Separate rules are desirable.

20037 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest 1—1 advocate a reduced pension on voluntary retirement, after fifteen

years service.

30558 (128). Do you consider the existing pension rules stituble in the interests toth of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement P-I am under the inversion that the pension deductions are excessive, and that therefore it is desirable to (i) alubilist deductions and (ii) sanction a pension to be paid wholly by Government. A settlement in regard to contributions already levied would also be necessary.

30580 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to under either for their abolition or for their alteration? Have you my proposals to make in regard to the present methods of working such regulations?—Pensions of sons should continue to 24.

30540 (130). In particular, do you approve of the szclusion from their benefits of "Natives of India," who are members of the Indian Givil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I do not approve of this exclusion. I am not aware of any special conditions necessary.

30541 (131). Do you recommend that such admission should be optional or compulsory?— Optional.

20552 (138). Are you satisfied with the existing organisation of the Indian Civil Service 7 in 64, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you settlede?—I am now estimated that the organization of the Civil Service, taking the Indian Civil Service and the Provincial Civil Service together, is satiled to the peeds of the administration of the future. (f) There is, in my opinion, grave danged of the administration of Ireland, and largely from the same cause. The multiplication of your states of the peeds of the same cause. The multiplication of your states of the peeds of the same cause. The multiplication of your states of the peeds of the same cause. The multiplication of your states of the peeds of the pee

Departments is tending to produce confusion and disorganization similar to that which prevails amongst the numerous Boards in Dublin which have their sole co-ordinating bond in the Secretary of State for Ireland. (iii) The progress of administration has rendered it necessary to remove Public Works, Forests, Police and Education from the direct control of the Collector, and is now creating new special branches to deal with Agriculture, Veterinary Science, Technical Education, Excise and Sanitation in numerous forms. The Collector is constantly called upon to intervene to co-ordinate their spheres of action or to bring some authority into effective relation with the people. If he is overwhelmed with the details of Revenue administration, he is unable to watch the activities of these departis unable to want the activities of these depart-ments and to keep himself sufficiently informed of the sentiments of the people thereon. (iv) The principal functions of the Collector in the future should be three-fold-(1) to know his people : (2) to co-ordinate the work of Special Departments and to guide it into ways suited to the people, (3) to exercise supervision only over the Revenue Officers, the Magistracy and the Police. To-enable him to perform these functions it is necessary to invest the Provincial Civil Service with a far higher degree of power and responsibility. (v) In Sind, selected Deputy Collectors are appointed Daftardárs or Personal Assistants to the Collector. I consider that these officers would in time be competent to conduct the Revenue administration. For a considerable period it would be necessary for the Collector to rctain appellate and revisional authority. These officers—the term Daftardar is inappropriateshould be given the scale of emoluments recently adopted in the State of Mysore for Collectors vis. Rs. 800-1,000 and 1,200. At the cost of approximately three lakhs of rupees per annual for the Presidency of Bombay and Sind, the Indian Civil Service would be relieved of a crushing burden of work (largely routine) and the Provincial Civil Service would be improved in status and reputation to meet the reasonable aspirations of Indians. Since supervision is far more difficult than control, these duties will require of the Indian Civilian greater powers of tact and diplomacy than he has been called upon test and uplormacy sum in this seem called upon to possess in the past. This fact emphasizes the necessity of selecting men on qualifications other than pure intellect. (vi) I do not suggest that it would be possible to appoint at once in every district, a Daftardar with these separate special powers. There are, I believe, 82 Deputy Collectors and 25 Districts. So far as I can Collectors and 25 Districts. So har as I can judge, it would not be possible, out of these 82, to find 25 men at once fit for these enhanced powers; nor, probably, would Government be able to find three lakes of rupees at once. (vii) Further, it might be necessary in a district, such as Poona, to retain an Indian Civilian as Personal Assistant, and it may be possible in a district, such as Kanara, to continue to dispense with the Daftardar. I would suggest that an experiment be tried in eight districts or two in each division at the outset. (viii). I suggest that a change of nomenclature be introduced, these officers be styled Collectors; the present Collectors, omers se sylet conector, are present contestors, Commissioners; the present Commissioners, High Commissioners, [ix] I may note that I have experimented in this direction for five years and have been satisfied with the result.

Mr. H. S. LAWRENCE. 7th March 1913.1

Continued.

Written Answers relating to the Provincial Civil Service.

30543 (1). Please refer to Government of 'India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their altera-

tion ?-Suitable. 30544, (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recom-mend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Executive. It believe that direct appointment by nomination to the grade of Deputy Collector has produced satisfactory recruits. I consider that Deputy Collectors should be appointed alternately by direct nomination and by promotion from the rank of Mamlatdar or Mukhtyarkar.

\$0545 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited ?-Recentive. I know only one such officer. Officers of one part of the Presidency are no to the Presidency are not the Presidency. There would be a stronger feeling still against residents of another province. I consider therefore that, ordinarily, residents of

the province should be preferred.
30546 (S). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Executive and Judicial. (i) No;

(ii) yes; (iii) nomination, 30547 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recom-mend?—Officers are left very much to their own efforts. This is not satisfactory and if a course of teaching in a Central College can be instituted for members of the Indian Civil Service, members of the Provincial Civil Service should join it also.

30548 (10). Is the existing system of Depart-

mental Examinations suitable, and if not what changes do you recommend?—Yes.

changes do you recommend!—Yes.
30549 (17). Are you satsified that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the grant of redneed pension after 20 and 25 years' service would be more effective in getting rid of inefficient officers than the power of since in the service of the service of the pension of the power of since in the power of since i officers than the power of directing compulsory

30550. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction ?-So far as I am aware, the functions of the Executive and Judicial branches are completely differentiated. No executive officer is a judge and no judge is an executive officer. Certain revenue officers are magistrates but the greatest care is taken that no revenue officer deals with a case as a magistrate in which he is concerned as a revenue officer. The only thing desirable is to grant magisterial powers to Subordinate Judges in order to train them in criminal work and in order to give some relief to revenue officers in over-worked divisions.

30551 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not what would you suggest !- The Bombay

Civil Service may be substituted.

30552 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? or think that the law of supply and demand is strictly applicable. The salaries should be so adjusted in each province as to enable the officers to meet their English colleagues on equal terms, and to take their place as leaders of Indian Society.

30558 (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Provincial.

No. With the great increase in wealth of the unofficial community and with the rise in prices and in the standard of comfort higher salaries are now necessary. A larger number of the appointments should be provided in the higher rrades and the maximum should be raised to

Rs. 1,000,

30554 (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. I approve.

30555 (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appro-priate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?-I consider that the differences between the leave rules for both the European and Indian services are suitable.

30556 (44) Do you consider that the existing 30356 (49) Do you consider that the existing rules governing the voluntary and complesory retirement of members of the Provincial Civil Service are estated orly? If not, what changes do you recommend ?—I am inclined to think that if voluntary retirement after 20 or 25 years were permitted on reduced pension, non who are inclined would be induced to retire, voluntarily. There would be a danger of swelling the pension list anduly; but at present Inclian officers show great reluctance to retire and I think it is very improbable that me and I think it is very improbable that me and I think it is very improbable that men

Continued.

would in fact retire unless they were in disgrace

or in other words inefficient. \$0557 (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable? - Fide the reply to question (186) of the Indian Civil Service. In regard to the Judicial branch of the public service, I venture to suggest certain modifications in the present method of appointment. The salary of Subordinate Judges varies from Rs. 150 to Rs. 800 and all are recruited in the Rs. 150 grade. There is no such distinction as is observed in the Executive branch between appointments to Mukhtyarkars on Rs. 150 and Deputy Collectors on Rs. 300. The powers of the lower grades differ from the powers of the higher grades and I think that the method of recruitment should differ also. I offer therefore the following suggestions:-(i) Subordinate Judges should ordinarily be recruited direct to the grade of Rs. 300 on the system at present adopted; (ii) the senior grade of Subordinate Judges should be employed largely on the supervision of the junior grades; (iii) the grades below Rs. 300 in pay should have a distinctive title-say, Muasif; (iv) appointments as Munsif should be open to the clerical staff of the Judicial branch; (v) promotion should rarely be granted from Munsif to Subordinate Judge. It is important that the Judicial branch should be placed on a parity with the Executive branch.

If the senior grades are to be raised to salaries
of Rs, 800—1,000—1,200, it may be necessary to reduce the number of appointments. I cannot speak from experience, but I am under the impression that want of supervision leads to great delays and much faulty procedure; and that economy would result and many abuses be checked if the senior Subordinate Judges were employed on the supervision and training of the

## Mr. H. S. LAWEENCE, called and examined.

. Karáchi ?-Yes.

30559. How many years' service have you had ?-Twenty-two.

30560. Have you spent the whole of your service in the Presidency of Bombay ?-Yes.

30561. You are in favour of confining the

competition in England for the Indian Civil Service to nominated candidates?—Yes. 30562. And inyour scheme you suggest that Indian candidates should receive their nomination

from colleges and high schools?-Yes,

30563. And they would also be required to attend an approved University in the United Kingdom? - Yes.

30564. Would such a University course come before or after the competition?—Before the competition. 80565. At what age would you suggest the competition should take place?—I think the

present age is best. 30566. Do you suggest that the Indian candi-

dates should be helped by Government with scholarships?-No, not as a portion of the scheme. If there is a separate scholarship scheme, well and good

30567. Would you approve of that ?-I think I should approve of sending home certain boys, but it should be quite separate from this question. 30568. But would you approve of such a

scheme ?-Yes.

30569. You are opposed to the proposal to recruit Indians for the Indian Civil Service in India by means of an Indian examination?—Yes, I am opposed to that in any shape or form.

30570. Would your objections to that proposal be in any way overcome if proper facilities were given to the successful candidates to spend a period of time in England at an approved university?— Under my scheme they would pass after they had

Sone through a university.

30571. But would your objections to an
examination in India be in any way diminished, were opportunities given, subsequent to the exami-

30558. (Chairman.) You are the Collector of nation, for Indians to get a training in England prior to entry into the service?-No.

30572. Your scheme for the increased admission of Indians is based on recruitment through the Provincial Service?-Yes.

30573. You would increase the number of listed posts ?—I do not attach very much import-ance to the question of listing, but I would certainly give them posts which are now held by

members of the Indian Civil Service, 30574. Would you abolish the listed-post as we know it and give direct promotion from the Provin-cial Service into the Indian Civil Service?—As I understand this question of listing, the idea is that a man gets into a listed post and stays there permanently. If you transfer that post and put it in the cadre of the Indian Civil Service, so that he goes up for promotion with other members of the Indian Civil Service, I think that would be more

satisfactory.
30575. Therefore, you would abolish the listedpost as we know it today, with its two-thirds post as we know it toway, with its two-things pay and limited promotion, and would absorb it into the Indian Civil Service, so that officers promoted from the Provincial Service would have an opportunity of being promoted right up the service ?—Ves; but I would not make them members of the Indian Civil Service; I would late them have promotion along with the members of the Indian Civil Service. My view of the Indian Civil Service is that it is a portion of the English Civil Service recruited for service in India, and, therefore, it is not right to have any entrance into the Indian Civil Service out in India at all. But I would give these gentlemen opportunities of promotion as if they were members of the Indian Civil Service.

30576. But you would not allow them to call themselves members of the Indian Civil Service ?-That is what it comes to

30577. Do you think that that would satisfy the aspirations of the educated Indian community?-It gives them every opportunity of serving the country and every opportunity of

promotion.
30578. But, as you go so near to letting them into the Indian Civil Service, what is your

Mr. H. S. LAWRENCE,

Continued.

object in keeping this distinction?—Because, there must be a minimum of Englishmen appointed in England to maintain the connection between British ideas and the administration in this Could not you have that minimum just

the same without retaining this somewhat invidious, distinction as between officers holding listed-posts and the members of the Civil Service?-It could be done, but, personally, I do not see any object in calling a man by a name which is inappropriate, I would transfer the posts to the Provincial Service.

36580. You would increase the number of

superior posts in the Provincial Service?—Xes. 30581. The positions of Collector and so on would be positions in the Provincial Service ?- Yes,

within the limits that I mention. 30582. I see you advocate the recruitment of a few military officers to posts in the Indian Civil Service. Can you tell us why you Civil Service. Can you tell us why you suggest that?-The suggestion came from the question, but I think that these military officers have done well in other Provinces, and I think they did well in the portion of the Bombay Presidency where I spent my early service. We had several military officers in the Sind Commission. By selecting a man who has been three or four years in the Army and giving him prospects in the Indian Civil Service you would be able to pick a

first class officer. 30583. Although, the system has been found satisfactory in all provinces where it has been tried, it has been one which has rather tooded to be withdrawn as the Province developed, has it not ?-I do not know anything about Assam and Burma, but I believe it is still continued in the Punjab. I do not attach any particular importance to the matter, but the question was asked and I see no

objection to it. 30584. In your answer to question (2) you recommend : that the successful candidates should come out to India and spend three to five years on probation ?- Not at all; that is connected with the question later on with regard to compulsory retirement. I should wish Government to exercise the power of compulsory retirement in the first three or five years of a man's service. I want to tell him he is on probation, and that if he is not satisfactory he may be compulsorily retired. I do not approve of

compulsory retirement of senior men. 30585. You would have him put to active work in the service at the usual time?—Certainly, 30586. But he would be liable to rejection at

any time up to his first five years if not found suitable?—Yes.

30587. And you object to anything in the

nature of compulsory retirement at a later period of service?-Yes.

of service:— Acc.
30589. Would not you favour any scheme,
with proper safeguards and reservations, which
would ensure the retirement of an inefficient
officer?—I think it is undesirable to shake confdence, but I think that Government can at present get rid of a man who is really quite unsatisfactory.

30589. Can the Government get rid of him on a pension adequate to sustain him?—I do not

on a pension aurequate to sustain mini.

know of any actual case having occurred.

20590. The suggestion which has been made to
us is that there should be a method of compulsory retirement for an officer who is not considered efficient, and that when retired he should be given and clent subsistence?—I have suggested optional retirement on pension after fifteen years' service-and I think if a man was really inefficient he would find service was so unsatisfactory in various ways that he would very soon retire optionally.

You prefer to leave the discretion to 20591. the individual rather than to the Government?-I

think he would very soon exercise it

30592. You say that the present block in pro-motion indicates an insufficiency of superior posts. What would you suggest for getting rid of that block and making promotion mere satisfactory?—I have suggested a time-scale up to eleven years' service. As regards extra superior posts, I think there are certain posts that Civilians would be more satisfactory in; for instance in the Educational Depart-ment there are posts of Inspectors of Primary Schools, very important posts indeed, and they are held at present by school-masters, men who have had no previous training in district life. I think those important posts ought to be held by Indian Civilians and that they should be called

superior posts. 30593. You would transfer some posts from the Special Services into the Indian Civil Service?

30594. Would you do that on its merits or with a view to getting over the difficulty of the paucity of superior posts in your service ?-I think it is advisable entirely in the interests of the administration.

30595. In your answer to question (136) you say, you are not satisfied that the organization of the Civil Service, taking the Indian Civil Service and the Provincial Civil Service together, is suited to the needs of the administration of the future. You suggest, first of all, defining more specifically the powers of the Collector. What is there under the three heads you give which he is not already doing ?-He is engrossed in the control of the Revenue Department and detailed administration, whereas I think he ought to be exercising supervision and

having more time and leisure for his other duties. 30596. You say that he is constantly called-upon to co-ordinate the work of special departments and to guide them in a way suited to the people. What power would you suggest he should have which he has not got at present?—I do not think you require to change his powers in any He has no time to attend to them.

30597. You suggest he should be relieved of certain detailed work and thereby enabled to pay more attention to this supervisory work?-That is so

Collectors who are Personal Assistants to the Collector, and they are only in four districts of Sind. In the Presidency they have not such an officer at all. They used to have one in one district, but I thinkthat officer has been abolished.

30599. Do Personal Assistants to a Collector have practically co-equal powers with the Collector ?-The Personal Assistant performs such duties

as the Collector delegates to him.

30600. Could you tell us what duties he delegates to these Additional Collectors which are or the compound of the compoun Mr. H. S. LAWRENCE.

continued.

thing he sees wrong in the administration of those offices. When I get back he will show me his notes and orders and inform me what he has done, and if I disapprove I will alter thom. But he is an experienced man and I have no reason to suppose I shall have any occasion to interfere.

30601. Is not that work being done also by Deputy Collectors in other parts of the Presidency?

No. There are Denute Collectors in other parts of the Presidency but they are in charge of Sub-divisions and are not representing the Collector. A Collectorate is divided into three Sub-divisions, one or two of which are held by Assistant Collectors, and one by a Deputy Collector, and those are officers who work on their own responsibility and have their nowers rather sharply defined, and they have to apply for sanction for various things. But this Daftardar would represent the Collector and give instructions to the Sub-divisional Officers.

30002. Do you suggest that, given those additional responsibilities under the Collector, be should be given a higher salary ?-Yes.

80603. What would you give him?-I have stated Rs, 800, Rs. 1,000, and Rs. 1,200.

20604. You suggest that eight districts in the Presidency might be treated in this way. Does your estimate of three likely cover the whole of the twenty-five districts or merely this partial amount?—That assumes the whole of the cost

eight districts for a sum much less than that?— If you adopted the scale of pay suggested it would only work up gradually to the Rs. 1,000 and Rs. 1,200 grades; but, if it were in full force and the men bad been working for some time, the average would be Rs. 1,000 per month per man, Rs. 12,000 per year per district, and eight districts would mean a lakk of rupces.

30606. For how long have you been carrying out this scheme in your district?—I began to try it five years ago in one district, and I went on with it in a second district in which I have now been for 34 years.

30607. Do you find it satisfactory?—Yes. 30608. Do you find it relieves you of a lot of detailed work, and thereby enables you to do more efficiently the larger supervisory work?-Yes.

That is my idea.

30509. Do you find that the work done by these Assistants is as efficiently done as by these Assistants is as efficiently done as you would wish it to be done by yourself?—Thinns may go a little more slowly than if one was doing it one's self, but one cannot do everything. Things are not done by others exactly as one would do them one's self.

30610. But you regard it as a satisfactory form of delegation?—Yes.

30811. Do you give your Assistant Deputy Collector any appeal power in magisterial work?— No; the magisterial duties are entirely retained by myself.

30612. It is only the detailed revenue work that you place on his shoulders?-Yes.

30513. Am I right in inferring from your answer to question (46) in the Provincial series that you would carry out a somewhat similar form of delegation in the Provincial Service?-That s not quite delegation. I suggest that these Subordmate Judges might relieve the Sessions Judge of cases. In delegation the responsibility rests with the man who delegates. In a Sessions

ease the Sessions Judge would retain no respons-

30614. You suggest that he should hand it straight over?—He must if there is a penalty to

be inflicted.

30615. You suggest that recruitment to the Subordinate Judgeships should be made into the second-grade on Rs. 300 a month. Do you mean by that that all officers now recruited into the third and fourth grade on Rs. 200 and Rs. 150 should be recruited direct into the second on Rs. 300 ?- I am not prepared to adhere to the details in those suggestions, as I do not know enough about the subject. What I want to draw the attention of the Commission to is that you get better material if you recruit direct at a higher grade of pay. We have had eases in Sind of fairly good men coming in on Rs. 150 and throwing up the appointments because they did not get promotion quick enough, and I think those men were probably worth recruiting at Rs. 300 direct.

30616. You think Rs. 150 is too low?-If the Judicial Department can work out any scheme on

that suggestion that is all I wish.

30617. You do not desire us to take this as a specific recommendation but only broadly as your belief that the recruitment of Subordinate Judges should be on a higher salary than Rs. 150?—Yes. 30618. If you were asked which would be the

most popular in the service, increased pay during service, or more favourable conditions in regard to pension at the end of service, which would you suggest?—I think increased pay; it is more

20619. You have suggested certain medifications in the present pension scheme: have you any ideas on that?—I should like to see a scheme worked out by which a Provident Fund should be started to which Fund men contributed from the first day and to which Government added a similar proportion, as is done in various public funds in India. A man might contribute 4 per cent. of his pay and Government might add 4 per cent. every month. In the case of death that sum would be of course the I think the pension might be reduced from the net sum of £1,000. One advantage of such a scheme would be that while I think the contributions should be so calculated as to provide a total tions such in the so calculated as to provide a total position of £1,000 after twenty-five years' service, if a man continued his service up to thirty-five he would, with the additions of the 4 per cent, and of the Government contribution, at thirty-five years' service be able to purchase for himself an annuity considerably in excess of £1,000 a year.

30620. So that you would favour a scheme by which an officer received something below £1,000 as pension if his 4 per cent, deduction, supplemented by Government, went towards a General Fund which would probably, at the end of his service, cashle him to buy as anunity which would make up the £1,000?—Yes, or give him the capital.

30621. If he went on after twenty-five years' service he would probably get more than the £1,000 ?-Yes.

30622. (Sir Theodore Morison.) In your answer to question (136) you say that you have "experimented in this direction for five years," and I should like to know whether there are any points in that experiment which you did not explain to the Chairman just now. I understood you to say that your Daftardar was touring in camp at the present moment for you, and I should

Continued.

like to know what other daties would devolve upon him?—He conducts the whole of the verna-

calar correspondence on my behalt.

30528. Do you have to check it?—We have
the same office and be comes to see me regularly
and he tells use of any important business that is
on and asks me about it, and in important matters
in the verneo lier, say big grants of had or anything of that kind, he makes a note in Buglish for

me and we discuss it.

50624. And he acts by himself?—He has
authority to act by himself. Of course, there are the
relations with the Assistant Collectors and Deputy
Collectors to be considered. This experiment is
purely a private affair, and I told my Assistant
and Deputy Collectors than if they received any
orders in the vernacular signed by my Assistant
which they thought were erroccous they were at
liberty to write back in English or write use
privately and ask me to reconsider them. But, I
amonte remember having received any such

letters.

30c25. It is not an integral part of the system that the correspondence should be in the vernocular, I suppose; you would be propared for your Deputy or Assistant Collectors to correspond in English ?—Yes, it is the custom to put more important things into English. That is a rough-out-ready division of routine duties and more immovated duties.

30026. As English education progresses in Sind will not the correspondence by more in English?—Then you must divide up your subjects. 30627. You would still advocate this whatever

language they were conducted in ?—Yes. 30128. Is there anything else which forms part of your experiment in the shape of devolution?—He does a great deal of inspection work,

ordinary village inspection work.

30529. When you are there?—Yes. We tour and earny together ordinarily and he goes out in one direction inspecting and I go out in another. There is a very dottled cheek of the celtivation of fields and by which is settled the assessment in the fields. We have survey numbers with boundary marks which there to be kept up, and the village officers have to be made to see that these are in proper order. The detailed cheshing of these things is very inhorious work, and that is done by the Doltardix.

30830. With regard to what you say about supervision and control, I should be glad if you could define to us what is the difference between those two things?—In control I take it you issue he orders younself; in supervision you look around and see if you can find anything wrong and set it right.

30951. But, you imply something rather clear in your relations with special departments. I see that you have to ex-ordinate the work of special departments and to guide it into wars satisfed to the people, and that implies some sort of authoritative of the extremely appealed to for adviceal the time at we have very little time to find out the proper facts and to give the advice required.

30622. You do not include that in supervision? By supervision you would mean something more direct than giving advice?—I speak of supervision for the Revenue Officers, the Magistracy, and the Police; in regard to the special departments, it is not supervision but advice.

30688. With regard to those three departments you would retain a close connection?—Certainly, 30684. But the actual work is to be done very largely by other persons?—Yes; I retain the

Magistracy exactly as it is now, 59635. In the case of the Magistracy in Sind.

39030. In the case of the diagistracy in Sind, what actual magisterial work is done by the

Collector?—Original work none, or one case in a year.

30636. Conseguently, there is an engrous

30636. Consequently, there is an enormous increase in the importance of the Provincial Service officers upon whom the work is devolved?—Yes, 30637. That is an integral part of your

system?—Yes. 30538. That the importance of their functions

is very much increased? - Yes.
30639. And you offer them a much higher

salary 2—Ves.
308-40. (Mr. Chaulal.) In mover to question (2) year recommend a system of nomination before admission to the examination and a period of probation of three to fire years. How long before the examination would you forminate the candilates for appearance at the examination.—My suggestion is purely tentative but one which I think should be worked out in England rather than here. The nominations should be given to beadmasters of schools.

30641. My question was more with reference to Indian candidates?—The same would apply. 30342. In their case the nomination would have to be some years before the examination,

would it not?—Yes.

30648. Could you have it soon after they graduated from the University here?—I take it it should be given before the candidate enters on

bis University course in England.
30644. That is to say, the nomination must

he in India ?—Ve.:

30845. The sort of certificates you require in cross to enable a person to be normated are also necessary at the present day, are taky not, certificates from the high selond and the affiliated college which the candidate had attended, and the necessary attendance at an approved University? Is not that done in respect of Indian candidates the with to appear for the competitive examination?—I've, but I believe a very slight acquaintasse is required with a candidate to give those certificates at present. I am not acquainted with them.

cates at present. I am not acquanted with them beyond knowing that such certificates are given. 30646. In answer to question (10) why do you italicise the "all"?—I think that is a question to be addressed to the Secretary of the Commission.

30647. If you mean that you are not particularly interested that all communities should be represented I have no question to ask?—I am not. It is impossible to represent the lower castes.

30548. I thought you might have meant some special emphasis by the "all"?—There may have been, but I do not remember now.

30649. In your asswer to question (88) you recommend, that Subordinate Judges abould be invested with magisterial powers. Does that mean that the Executive officers should be divested of them and the Subordinate Judges should be invested with them?—No.

30650. You want the present Executive officers to exercise magisterial functions and in addition. Subordinate Judges?—Not all Subordinate Judges, that I think it is very important Subordinate Judges should have experience of criminal work.

7th Moreh 1913.1

Mr. H. S. LAWRENCE.

[continued.

3065). You look at it more from the point of view of training the Subordinate Judicial Service in criminal work than from the point of view of differentiation of functions ?- Certainly. I do not

at all admit that any evil exists at present. 30652. I suppose you mean there is a belief in

the evil?—I am not at all sure that there is that, \$0658. Have you been hearing this cry for the separation of the Executive and the Judicial?-My last answer requires some qualification perhaps. I am not at all sure that there is any such outery among the criminal classes, who are chiefly affected. This outery, as I understand, began in 1886, when the National Congress made this one of their resolutions, and so far as I know they have repeated that resolution unchanged for

twenty-six or twenty-seven years. 30654. When it began in 1886-87, whether it was with the Congress or anybody else, there was an actual complaint at that time ?-No doubt the complaint had been felt, but I think the Congress may not have been aware that in 1882 there was nn alteration of the law. Previous to 1882 Magistrates were able to try cases which, as Revenue officers, they had ordered to be tried, but in 1882 that power was taken away from them. It is only gradually that that section has become known throughout the country. As long as it was unknown no doubt the complaint was made, but for many years past there has been no ground whatsoever for the complaint, and from my acquaintance with the criminal classes I do not think they feel any inconvenience or fear.

30655. Do you think that the Magistrates have any training in Criminal Law?-They pass their

Departmental Examinations.

30658. But they have no regular course in Law which they take as a preliminary to getting their appointments?—They have no theoretical training, but many of them act as clerks to Magistrates before they pass that examination

and get a practical training in that way. 30657. In your province, for the purpose of the trial of a case, are there not occasions when the counsel, and witnesses, and parties have to move about with the camp of the Sub-Divisional

Officer ?-Sometimes.

30858. Is there any complaint on that ground?—There is considerable complaint amongst the Pleaders who have to attend courts in some out-of-the-way places at times, but I do not think there is any serious complaint amongst the people, Naturally, very often the camp is pitched close to the man's village.

What about the witnesses who have to 30659. appear? The witnesses do not have to go about from place to place frequently. The magistrate often fixes his camp to try a case in a locality

convenient to the witnesses.

30060. Supposing that a magistrate is touring round and he has three Talukas -A, B and C and that while at A a complaint from B comes to him. Does he take cognizance of it there?-

30861. And he fixes the day for the trial of the case at a time when he would be at Taluka B ?-Yes, if he bad an opportunity of doing so.

80362. Do you think there are inconveniences caused by that?-There is inconvenience to everycaused by contraction to the contraction of the con

Would you attach any importance to what the Pleaders suffered when they represent the parties ?—I think they obtain their quid pro quo; if it is a very inconvenient place they get a very high fee.

#### (Adjourned for a short time.)

30364. (Mr. Sly.) With regard to your scheme for the further employment of Indians, I understand you recommend that Indians could safely be employed in the service up to a proportion of about one-fifth? -Yes.

30665. That nee-lifth refers to the Bombay

Presidency? -- Certainly.

30666. And you recommend as the most suitable system of recruitment, the promotion of officers of proved merit and ability from the Provincial Civil Service? - Yes.

30367. You have suggested in answer to certain questions which were put to you that this might be done by transferring certain posts from the Indian Civil Service endre to the Provincial Civil Service, and making it a self-contained Service, with certain posts of Collectors and Judges attached to it? - Yes.

30668. Do you consider that there would be any great objection in effecting this object by another scheme, more on the lines of the Sind Mixed Commission with which you are acquainted. That is instead of having a self-contained Provincial Civil Service with superior posts, officers from the Provincial Civil Service should be promoted on to the same list with the Indian Civil Service members,—on the same list as the Mixed Commission?—In the first place that was not the system of the Sind Commission. The Sind Commission had a separate promotion list of their own. That is a detail

30669. On the lines of the Punjab Mixed Commission, or the Burmese Mixed Commission, and others ?- I still prefer having two entirely separate calres; for this reason, that if you have the amalgamated list you would have officers of the anagamases has you would have officers of the Indian Civil Service proper retiring after twenty-fire years, and you would have officers of the Provincial Civil Service remaining in service up to the very last moment possible, and in the course of years you will have in this Mixed Commission a block at the top of Provincial Civil Service officers who are not holding the whole number of superior appointments. I presume, you still propose to retain the one-fifth allotment for the Provincial Civil Service.

30370. The question as to whether there would or would not, be a block at the top of the Mixed or would not, or a note that a set of the third of the large commission, would depend entirely upon the age at which the Provincial Civil Service officers were recruited to that mixed commission. At present, recruited to that mixed commission, the objection we have had put forward to Provincial Service officers holding listed posts is that they are recruited so late in life that they have not a chance of getting up to the top of the list of Collectors? - Under the scheme I have suggested there would be direct appointment to the grade of Rs. 300 alternately with appointment by selection. Therefore those men so appointed direct would presumably serve for thirty or thirty-five years and they would cause a block, I think.

30671. The objection you have stated to their being made what you call members of the Indian Civil Service would not be an objection which would apply to their being made members of the Mixed Commission?—No, it would not.

continued.

30672. I understand your objection to their being called members of the Indian Civil Service is due to the fact that the members of the Indian Civil Service at present are recruited by an entirely different method, by open competition in England, and that you do not desire any man, no matter whether he be a European, or an Indian military officer admitted to the Commission, or any other officer, should also be styled a member of the Indian Civil Service?—I had not considered the

military officer in that regard. 30673. As a matter of fact, the military officer that was posted to a Mixed Commission, and performed exactly the same duties as a mem-her of the Indian Civil Service, was not styled a member of the Indian Civil Service, was he?-I

have no acquaintance with any such. 80674. He was not. In answer to question (48) you have given the opinion that the system of one year's probation was harmful?—Yes.

30675. What particular harm do you consider was caused by that one year's probation?—It

was a waste of time. 30676. That the officer learnt nothing that was of real importance for his future duties during that year ?- Very little.

30677. If the present limit of age were reduced, do you consider that a combined system of probation and training could be successfully given in India ?-Yes.

30678. Another proposal you have made is for the voluntary retirement of officers after fifteen years' service. Considering the expensive and fairly long training that an officer undergoes before he starts rendering full service to the State, do you consider that it is reasonable, from a Government point of view, to allow an officer to retire voluntarily at the end of fifteen years' service?—I do not think you get good service from a man who is kept against his will. I would not tempt him to go by any extravagant emolu-ments of pension; but I have known one case certainly where a man who was of no use to Government, would have willingly gone on any terms after about that period,

30679. Would it not also be the case that some officers who were, perhaps, of the highest use to Government, the most successful officers, might be tempted under those terms to retire and start another career in life? In other words, that instead of having the effect of getting rid of the bad men it may have the effect of inducing the good men to go?-Yes, there would be that danger. I think that danger could be shviated by refusing to allow them to retire without permission.

30680. Then it would not be a scheme of voluntary retirement ?- If it was the wish of the officer to retire and Government saw no objection, I would let him go. To that extent it is

30681. In answer to question (125) you have stated that the pension deductions are excessive. From what point of view do you consider that they are excessive ?-I understand that actuarial calculations have made that out of the £1,000 pension which the Indian Civilian obtains not more than £600 is actually paid by Government, and that the balance of £400 is obtained from these deductions from all the members of the service.

30682. Can you tell us what actuarial calculations that is based upon ?—I do not know. I say that is an impression

80683. Simply an impression ?—Yes, 30684. With regard to your scheme for decentralisation by giving further powers to the Personal Assistant of the Collector, was that scheme ever put forward by the Decentralisation Commission?—Not to my knowledge. 30685. You know that Commission, after

having considered the question fully, preferred a scheme of decentralisation based on divisions of area, by giving larger powers to Sub-Divisional Officers for the relief of a Collector, in preference to the one you have suggested?-I do not know that,

30686. As a matter of fact, what would be your opinion of an alternative method of decentralising work, by relieving the Collector, and giving increased powers to Sub-Divisional Officers in preference to concentrating them upon this Personal Assistant?- I have heard of this for' twenty odd years, I think, and I have not seen any good result.

30687. Do not you think your scheme would depend very largely upon the character of the Collector, as to the actual amount of power that would be handed over to this Personal Assist-

ant? - Certainly. 30688. Again, would not there be the likelihead of difficulty arising in carrying out your scheme owing to the fact that if a Personal Assistant were thus empowered to give orders to the Assistant Collector, the Assistant Collector might, in his turn, become officiating Collector, and be the immediate superior of the Personal Assistant?-Difficulties may arise under any scheme; but I do not see that that particular difficulty is likely to arise. That system, I think, would tend to produce toleration on both sides. Men must learn to know each other, and work without friction. Of course there will be friction under

any system 30689. There is no other system under which one week one officer may be the superior of the other, and the following week the positions may be reversed ?-I cannot at the moment think of any

similar analogy, but probably there are some, 30690. Take it from the point of view from which you have considered it, as an improvement of the prospects of the Provincial Civil Service. Do you think that a Provincial Civil Service officer would prefer such a scheme as you have described to that of being himself in independent charge apart from the Collector? - If he has the position and

pay suggested, certainly he would prefer it. 30691. An independent charge? I take it that there would be no change in the pay and position of independent charges, and there is this great inprovement in the pay and position of these suggested officers. In such circumstances Deputy Collectors would aspire to be Personal Assistants.

30692. Do you not think they would prefer more independent charges than that of being Personal Assistant to the Collector?-I have discussed this point with several Deputy Collectors, and they all expressed their very great gratification at the possibility of any such scheme being brought into force.

30693. With regard to the present methods of recruitment for the Provincial Civil Services in the Bombay Presidency, you have an upper and lower division in the Executive Provincial Civil

Mr. H. S. LAWRENCE.

Continued.

Service. The upper division is recruited, in a very small proportion, by direct recruitment, on an average of about one appointment a year, and the rest is recruited by promotion from the Mamlatdárs ?-Yes,

80694. And these Mamlatdars, I understand, are originally recruited on an initial pay of Rs. 50 a month?—Yes.

30695. Can you tell us from your experience whether that system of recruitment, starting as low down on the scale as Rs. 50 a month, does in practice secure the best men for the important osts of Deputy Collectors in the Provincial Civil Service?—You get very good men who force their way through by stress of competition; but I should myself prefer to see a larger number recruited

30696. If, as in most other provinces of India, there was a substantial proportion of direct recruitment to the post of Deputy Collector on Rs. 200 or Rs. 300 a month, do you not consider that that would lead to a substantial improvement in the class of Deputy Collectors?—Yes, I think so.

30697. (Mr. Fieler.) At what age did you ass your competitive examination?—Seventeen. 00698. You came in under the earlier

system ?-Yes.

30699. And yet, on the whole, you think it is well to take men at maher a later age?-Yes. 30700. May I infer that you are quite

satisfied with the men who have been coming out under the recent system?-No, not quite satisfied. 30701. Do you think that they are as good

as you could get under any system of recruitment?-I have suggested that there should be a system of nomination 30702. But as far as the age goes, you say

you do not find that they are under any great disability?-No. On the whole, I should prefer to see a man come out to India at the age of twenty-four. I think he comes out a little too old after a year's probation. I should rather prefer to see him come out at twenty-four than to come out at twenty or twenty-two as was the case in my time.

30703. Do you think that they made more mistakes when they came out at an earlier age than they would be likely to make now?-I think so. I can recall no particular glaring instances, but it is obvious that they must be less mature in

judgment, 30704. I suppose that if a man happened to he unsociable or rather rough by nature he is less easily absorbed if he comes out at twenty-four than

if he comes out at an earlier age?—Certainly, 80705. And it is probably for that reason that you would like to see a system of nomination added to competitive examination ?-You said because of

his roughness.

S0706. I said a few people come out who are rather rough and unsociable and cannot easily be absorbed?—In general terms, yes.

30707. Do you think that with the scheme which you have indicated in your answer to question (6) you would really get a different type of men from the type you get now, because under or men riom see type you get now, because under the existing system practically every man omes with a good testimonial from his school or college?—Not as regards his manners, I think. 30708. You wish a specific testimonial as to manners?—I 'think that is a very impuriant matter here. A good deal of the trouble one hears

so much talked about in the Press arises from their manners, and I think you ought to have some guarantee that the man is not essentially had manusred.

\$0709. Do you think there are many incurable eases of had manners?-Bad manners at twenty-

four are fairly well set, 30710. You advocate that Subordinate Judges should be vested with magisterial powers. has been submitted to us that it might be desirable to recruit some of the Sessions Judges from the Government Pleaders in District Courts: would

you favour that suggestion?—On the whole, no. 30711. May I ask why?—Because I want to build up the Provincial Civil Service to as strong a self-contained body as it would be possible to get.

30712. It is rather in the interests of the Provincial Service that you would oppose the suggestion, not because you do not believe that the Government Pleaders would be suitable?-I was going on to say that I rather question the idea was going of to say uses I trainer question one such which is held in England that a lawyer will necessarily make a good Judge. I have not got sufficient experience on the subject to speak definitely. I merely say that, personally, I am inclined to doubt it.

30713. I notice that you do not attach much importance to legal training as a part of the equipment of the civilian ?-I think I made rather an elaborate scheme for it in my answer to question (64).

30714. In your answer to question (44) you say that there should be no probation in England under the present system?—Yes.

30715. And therefore, I presume, no special legal training in England?—No; I think you can get that legal training out here. 30716. You think it can be got quite as well

out here?-For the Executive service, that is; I distinguish between the Executive and the Judi-

80717. Would you propose that your Judicial officer should have a further period in England prior to coming out?—I do not think that there is time for it. I should like to have him out here; and after he has done his four years in learning the language and something about the people then let him go home and be called to the Bar.

50718. You attach more importance to his being called to the Bar than to his reading in Chambers?—No. I have nothing to say upon

that point, 50719. (Mr. Modge.) In answer to question (9), you lay great stress upon the necessity of recruitmen for the Indian Civil Service in England alone; and in answer to question (5) you say that the theory that the top men in the examination are the best is opposed to all practical experience. As this last opinion is altogether against the compatitive system as a whole, do you look exclusively, as you suggest in answer to question (6), to nomination to correct this mistake?—It seems to me that nomination will not affect the question of whether the top men are the best, or not-

\$0720. But if the idea that the top men are the best is a delusion, then the only means which you suggest for correcting that hes in nomination does it not? How else would you do it?-It seems to me that these two questions are totally distinct. In question (5) I am saked whether I consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is 7th March 1918.7

30731. You are rather opposed to specialising in the education at home?—Yes.

continued.

or is not to the advantage of Indian interests. That is apparently based upon the view that the Home Civil Service attracts the best men because the top men take the Home Service. My theory, for whatever it is worth, is that the Home Civil Service does not get the best men by getting the

top men. 30721. Your opinion that the top men are not the best does not apply to the men who come out the best does not apply to sale men who come our here? What I mean is this. The essence of all empetition is that you edect the top men, no matter for what service; and if you believe that that is not quite sound your recommendation is to correct whatever mistake there may be by nominations: is that it?-No. This is merely an obiter dictum. The theory opposed to all practical experience merely refers to the question of whether the Home and Civil Service Examinations should be combined or not.

30722. You lay great stress on the necessity of recruitment for the Indian Civil Service in England alone, and you go on to say that a larger proportion of the superior posts held by the Indian Civil Service should be thrown open to Irdians. Then you say that the proportion may be one-fifth instead of one-eighth. Do you think that the Government have not hitherto raised the proportion because, on the one hand, the irreducible minimum of the European element has been reached; or, on the other hand, because they have not had sufficiently competent men to pash up?— I cannot answer that question. I do not know what has been the reason of the actions of the Government in the past.

80728. Do you think that there has been, or that there is now, a sufficient number of competent men to push up to that proportion ?-I think that

there will be in the future.

30724. But not at present?-That question, I think, must be taken with another answer which I gave, namely, that the terms of service of the present officers of the Indian Civil Service must be respected: that is, that you cannot throw open the one-fifth of those appointments immediately; you must bring them in at the bottom of the cadre, and let them work their way up for promotion gradually. 30725. Have you in your District any number

of domiciled Europeans or Anglo-Indians in the Provincial Service?—Yes.

30726. Other things being equal, are they about as good as the other members of it; as

efficient ?-Yes.

30727. As regards ago-limits, do you prefer the older age for men to come out because you think that character is better formed at home than out here? - Yes. 30728. And if there are defects they are

more easily traceable?-Yes.

30729. As regards Indians, do you think there is any great danger in sending comparatively young men to England at an earlier age?—At what

30750. It is a question of earlier or later. I believe Iudian parents object to sending their sons away on the ground, for one thing, that it exposes them to great risks before their character is formed; and, for mother thing, that it alleantes them from the conditions to which they return later in life, and with less sympathy for them. On those two grounds, do you think that Indians should be sent home earlier or later, earlier or later, comparatively?-Comparatively, later.

80732. Accepting Lord Macaulay's view ; but in these days there seems to have arisen the bott in these care came occans to have a meet for specialising in particular departments out here, such as Agriculture, Chemistry, or so on. Do you think that if optional, special, subjects were introduced into the syllabus it would be an advantage or no advantage in the competitive examination?—I have left the examination entirely alone, because it is a good many years now since I had anything to do with it.

20733. But you may have an opinion with regard to the needs which mature in this country, Considering the need of specialists which is being disclosed more and more in this country with reference to Agriculture, Chemistry, and other things, do von think that if ontional subjects were introduced. into the competitive syllabus at home it would be an advantage or disadvantage?—I do not think there would be any objection to introducing them as optional subjects; but my opinion is valueless

on the point.

30731. You think that the officer of the Revenue Department should have at least four

years before bifurcation?—Yes.

30735. Is that because you think he acquires valuable experience that can be of great use to him, no matter what his future career is?-

Certainly. 30736. 30736. With regard to entering the Judicial Department, you do not think four years too short a period: would you protract it if it can conveniently be done?—I do not think it can be protracted.

30737. On account of the administrative difficulties?—To get your officer ready for service as a centres: — to get you once ten, you must, if this scheme is to be accepted, push him through his Bar Examination at home, and there is no time for him to spend longer over the preliminary duties of learning the revenue work and learning to understand the people.

30738. But suppose the final decision on the matter by Government was that the bifurcation period should be put much further on, do you not think that the experience gathered would be increasingly valuable?-He would certainly have

more experience.

80789. It would be valuable in either branch of the service ?-Yes: but it would not fit in with the scheme for giving him training in law.

30740. That would depend of course, upon the scheme which was adopted. Finally, with regard to your very interesting devolution scheme, have you ever reported upon it to Government with view to the merits or demerits being generally

known?—No.

30741. Do you think it would be advisable to do that?—I do not think it is for me to offer to report on the subject. The Commissioner in Sind knows what has been done.

30742. The Commissioner knows?-Yes.

30/42. The Commuspoic Roows (--) es.
30/16. (Sir Marray Hennick) Have the
officers in Sind got may hill-stations to which
they can go and take a short leare? If they can
get away for short leare where do they generally
go?—From the north of Sind they go to Questa.
30/44. Would you recommend a system by
which officers should be compelled to take short

leave every year, or every two years, instead of the leave being allowed to accumulate and added to furlough?—No.

continued.

30745. Se far as you know, do many officers take a month's leave to go to Quetta?—Prom the south of Sind I do not think any one would go away on account of the climate. In the north of Sind, you are allowed, when you find that the river is not giving trouble, to run up to Quetta for fourteen days at a time, and carry on your work from there. It is a concession which is not much availed of because the river is always giving trouble

30746. With regard to this idea of yours of having Personal Assistants, the Commissioners in Bombay have this kind of assistants, have they not? Does not every Commissioner have a Personal Assistant?-Yes.

30747. Does he do this sort of work, or is be simply a Secretary, do you know?—He inspects on

behalf of the Commissioner. 30748. Is he a Deputy Collector from the Provincial Civil Service ?-Yes,

30749. The same system has existed in some other parts of India for some time, and the objections that I have heard to it have been, of touch with his office very often; that is to say, that he neglects to look after the promotions in his office; he gets out of touch with his clerks and, in consequence of that, one set of favourites of the Personal Assistant are very apt to get the rule of the office. Do you think that is likely to be a danger?—Certainly, it is a danger. 80750. It is a danger which can only be

counteracted by the personality of the Collector? -Yes.

30751. Another objection which was brought to my notice the other day was that the system was exceedingly unpopular throughout the District because the village officers and sobordinates out in the District found that they had to deal, not with the Collector, but with the Personal Assistant; and they did not like it at all; whereas, in former days, they were introduced to the Collector, he then would hand over the accounts to the clerks in the office to be examined. Now, they do not see the Collector at all. He sends his Personal Assistant to do his examination work, and the people never get a chance of seeing him. Do you not think that is likely to be an objection to that system ?—There are great disabilities. It depends entirely how it is worked. Personally, I visit every Taluka Office and see all the officers

Personally. Who is this man you speak of as your Personal Assistant. Was he your real Personal Assistant, or was he Deputy Collector, a Sherishta-tible and the collector of the Personal Assistant, or was he Deputy Collector.

the peculiar title of Daftardar.

30753. Does he exist in every District: is there such an appointment as Daftardar in every District?—He existed in all the Regulation Districts, previously, in Sind, but not in the two non-Regulation Deputy Commissionerships.

30754. Do they exist in the Bombay Presidency?—No. Recently, there has been a re-distribution of three Districts in Sind, and the Daffardárs were abolished, and the Presidency system of having a man of the grade of Mámlatdár was introduced.

30755. The same as the Sherishtadar down in the south ?-Yes.

30756. This Daftardár was a Deputy Collector and not a Mámlatdár: is that so?—Yes, he was a Deputy Collector.

30757. Have you had any experience of the system under which a Subordinate Judge was given magisterial powers? You recommend it. Have you had any experience of over having seen it in operation? I understand it has been done in Bombay when there has been famine. Have you ever seen it in operation?-No, I have not

you con research seen it.

30753. Do you not think that the two functions of being a Magistrate and a Civil Judge are rather incompatible? The Subordinate Judge at present in most Presidencies has a very high as present in must resource as as a very nega-reputation for hard work and freedom from all corruption. Do you not think a great deal of that reputation is due to the isolated position which reputation is due to the isonated position which he holds as simply sitting in Court and heating and trying cases, and doing nothing outside his Court: but that if he was given magisterial powers, and had to deal with the police directly, and very likely inspect the scenes of crimes, and take the dying depositions, and attend postmostems, do you not think that the reputation which the Subordinate Judge now has would very likely be affected by it?—I hope not. I think it

work. 30759. From another point of view, do you not think it would be exceedingly difficult to less up the efficiency of the civil work which is done by the Subordinate Judge if he is likely to be which falls to a Magistrate? Those are conditions which strike one at once. Do you think that would seriously affect the success of an experiment of that kind?—I would confine it to those Subordinate Judges who were likely to rise to Sessions Judges. These evils which you speak of are serious in their way; but they are nothing, in my humble opinion, compared with the evil of appointing a Subordinate Judge straight to be a Sessions Judge, and putting him to try really serious criminal cases without any experience

would be a very useful training for him in practical

30760. Subordinate Judges are, generally, tested as Assistant Judges and given selected easy cases to begin with, are they not?-Still, they are much more important than magisterial

30761. In some ways perhaps. Then you recommend the division of your Provincial Civil Service into Munsifs and Sub-Judges. That, of course, is the division which holds in a great many Presidencies outside Bombay, and is perfectly satisfactory. But, do you think it would be a satisfactory arrangement to recruit your Munsifs from the elerical staff of the Judicial branch? You say in answer to question (46) that you would like to see the appointments of Munsifs open to the clerical staff of the Judicial branch. Do you think you would be likely to get good Munsifs by taking elerks out of Judges' offices?—You get some promoted in that way already,

Some people have told us how objectionable the system is. Do you not think it would be much better to recrait Munsifs from persons who have taken a law degree, and perhaps taken out a Pleader's certificate, even if they have not practised?—Then you get mixed up with the difficulty of recruiting to the higher appointments, which is the point I wanted to lay stress upon.

30763. You would make it a point that you must recruit direct to the higher subordinate branches ?-Yes,

[concluded.

30764. And you would promote your Munsifs to Sub-Judges by selection?-Promotion should

to out-sugges or selection — remotion should rarely be granted to Munsifs to be Sub-Judges.

80765. Do you not think that clerks in offices would make exceedingly bad Munsifs ?—
I am not really competent to express an opinion upon this point. I wish to draw the attention of the Commission to the desirability of improving the subordinate judiciary in its initial stages.

30766. (Mr. Heaton.) Supposing that there was separate recruitment to the judicial part of the Civil Service, do you think that that would have any effect on the relations of the Collector and the District Judge?—I think it would have a very serious effect upon the esprit de corps and cordiality in the relations between the branches.

30767. And that you think is an important

matter?-Yes, very. 30768. You did accept the suggestion that there might be occasionally a military officer selected in the service ?--Yes.

30769. You put him into the service, I suppose?—Yes,
30770. Could you not treat the promotion of Provincial Civil Service men in the same way ?-I think it is undesirable. I think it is hest to draw a bard and fast line as to the minimum number of members of the Indian Civil Service which are necessary in this country.

30771. Have you in Sind felt the difficulty of the frequent transfers being brought about by officers taking leave?-I do not myself think they

are excessive

80772. Do you think it would be pessible to arrange that any officer might take leave, say, up to six months, without drawing upon another District for the administration during that period of leave, for example, by making a freer use of Provincial Civil Service men to act for such periods as Collectors ?- I have not thought of that before.

30773. (Mr. Jegleker.) You said that there were no Daffardars in the Presidency proper but, as a matter of fact, do you know that there are Daftardars to the Collector of Satara, and that at Thana there is a similar post ?- I knew there was

one at Khandesh,

30774. That was abolished after it was divided into two Districts. But there is not one in Khandesh now, is there?—I do not think so.

30775. But in Satara there is one and in Thana there is one. I do not remember that there is a Daftardar in the other Districts, but I remem-ber those two ?—Yes.

30776. They are doing the work of Deputy Collectors ?- Yes. I take it from you that that is

30777. In Poona there is an Indian Civilian serving as the Personal Assistant to the Collector. Probably, you are aware of that?-Yes.

30778. So that it is not only in Sind that there are Daftardars, but in the Presidency

ргорег ?-- Үез.

30779. (Mr. Bhadbhade.) Would you favour a system of founding scholarships for sending Native boys to England at the age of fourteen years to compete for the Civil Service? Do you think that a suitable age at which you would send them to public schools in England? Would their knowledge be sufficiently ripe to enable them to talk to the English boys?—If they are going to a public school that is the only age at which they

30780. Would their English be sufficiently good to enable them to join a school at the age of fourteen? Do you expect them to be sufficiently conversant with the language to be able to mix with the Buglish boys?—I have seen such

boys. 3078I. In the case of the Parsees, and all

the other classes ?-Yes.

30782. (Witness.) I should like to make an observation if I may be allowed. It is with reference to my answer to question (136), as to which a good many questions have been asked. I have said that this is a soheme which may be introduced in time. I wish to repeat the stress I laid upon that point. I do not suggest that this scheme can be introduced in full blast in the immediate present.

80788, (Chairman.) You suggest that it may be commenced tentatively, and developed gradually ?-Yes.

(The witness withdrew.)

GOVIND DINANATH MADGAVKAR, Esq., I.C.S., District and Sessions Judge, Abmednager.

## General Note.

30784. Having answered separately and in detail, the questions within my power, 1 would submit the following general note dealing with what appear to be the main points for consideration before the Commission, both as a convenient summary and test of my suggestions and as bearing upon the fourth point before the Commission, vis., to consider the requirements of the public service and any changes that may seem expedient, with a view to their more complete adaptation to the new conditions of public life in India, as I understand from the opening remarks of the noble

ii. The main points in question appear to be the expediency or otherwise of

(1) a larger admission of Indians to the higher posts in the administration;

(2) a reparation of the executive and judi-cial functions.

iii. Both are questions which should not be difficult to answer in most countries but which have been so differently answered as to indicate two different points of view. The very different and opposite answers, especially to the first question, by witnesses equally sincerc and com-petent, but according as they belong to the ruling race or the ruled, justify the conclusion that the points of view are those of race and are not

easily reconcileable.

iv. I regret the question has been treated as a contest between two middle-classes, British and Indian, as to a right, the one to retain closed, the other to enlarge, an entrance into a preserve of loaves and fishes with the further question of its division among the various Indian castes and creeds. And it appears to have been assumed that the raising of the question is due to a falling off in the personnel of the Indian Civil Service which is practically British. The latter have accordingly passed on the compliment to the

continued.

Indian element. And the controversy appears to have centred largely round this element and how far they or the holders of the listed posts, belonging to the Provincial Civil Service, have main-tained the British character and efficiency of the Vague charges of want of administration. initiative, driving power, efficiency, etc., are difficult to deal with. It will be open to the Commission, where statistics are available, to call for them to test such statements. Do Indian Judges dispose of fewer cases or more? Do their judgments suffer more reversals or incur more eriticisms? Do Indian Collectors collect less revenue or work less in famine or plague? Above all has there been a whisper against any Indian member of the Indian Civil Service of venality or favouring of person, or easte, or creed? Do they fill up the ministerial offices within their gift with their own relations or caste? I would invite the Commission to go into these facts and then to draw whatever conclusions follow. If no such facts are forthcoming, then it may be asked if these allegations on to the Indian members of the Indian Civil Service do not proceed rather from British tenacity to hold on to their posts, than from British fairness and show that racial feeling unfortunately even in the Indian Civil Service is stronger than its esprit de corps, particularly when invidious comparisons of this character come to the fore. And, per contro, instances might also be invited of the particular cases of initiative, driving power, vigour, etc., of the British members. The days of Lawrence and Nicholson are past; and India with the rest of the world may be getting deab. But I have not in the last fifty years heard of any such remark-able instance, and I doubt if the Commission has, and if so, the information should be welcome. The questions before the Commission may be deductively soluble upon premises such as British character or the British natural gift of rule, or that one Briton is worth ten Frenchmen and a hundred Indians, or rice versa, of the nobility of Indian aspirations and the natural superior fitness of Indians to serve in India. They may also admit of the easy opportunist solutions, a separation of the judicial and the executive, the creation of more functionaries, even though there is not enough work for them, and the distribution of them among the vested interests of the Indian Civil Service or Indian "aspirations" and without thought of the tax-payer or the masses. But the questions appear capable of a broader, more scientific and deeper treatment upon a common initial basis. v. Indians as ruled, whether officials or non-

officials, are not less but more titally interested in preserving and raising the stundard and character of the administration than the succession of temporary British administrations. And, as every results Indian admits no other possibility but the British Engine and Cowan, it is upon that common basis and from this higher and breader standpoint that the questions can better be viewed maker than that of marrow class interests. India is an organic and permanent portion of the British. Empire, whose welfare and strength are inseparably bound up with that of India. Great Entian regards trade with India and not tribute from India as the asset which constitutioned in the programming the Empire. And the questions before the Commission may be treated as a bread scotological question of the British as

regards the rulers and the ruled. The first question has occurred in India from Aryan times with sech conquest and considiation. The Aryan times with sech conquest and considiation. The Aryan colution—casts, failed, with results from which Hinds Society still suffers. Akbar's solution was revered by Aumagazbe, and Delhi is the capital of a British, not of the Moghal, Empire. The concrete question before the Commission, I take to be as follows: The actual work of the administration, of revenue and justice, is even now done by the Munistation and the Subordinate Judge. The functions of the Collector and the District Judge and to supervise and check by appeal or otherwise (the Sassions Judge's original trials being omitted). These poets are now mainly hold by the Indian Civil Service which, as far as the rulial are concerved, is an Angol-Drian caste in the sociological sense, that it does not end is not likely for marry with the ruled. How far, if at all, is it then expelient to enlarge the opportunities for the ruled to obtain admission into the ruling caste in appreciable numbers?

'A. Sociologically wiewed, India consists of strata.'

of castes, with the Anglo-Indian caste at the summit; and it should be noted that among Indians themselves easte does not always coincide with function and tends less and less to do so in the progress from status to contract. Again, within India itself, there is a movement from below against the system of caste. Thus in the Decean, there is the Satya Samaj, mainly of Marathas, which refuses to employ Brahmans as priests and employs their own priests instead, and the refusal of the descendant of Shiváji to bow down to Brahman supremacy. A similar movement is in progress among the Namsudras of Eastern Bengal. I take the question before the Commission to be really a part of the same movement against caste. In each case it is education which inspires and impels. None of these movements implies any faling off in the individuals of any higher casts, Brahmán or Anglo-Indian. On the contrary, every thinking Brahmán will now acknowledge that Hindu and Indian Society would gain more than the Brahmán would less by the breaches and dissolution of caste; and agrees that the education of the masses which must sound the knell of Brahmán supremacy is desirable in the larger interests of India. Similarly, the formation of the Anglo-Indian caste is due to difference in colour, creed, civilization and social and political power. Its existence conveys no reproach against the British, or a falling of in character. existence conveys no reproach Its tendency in India was observed and decried as early as 1834 by the Court of Directors in their famous Despatch. The present Commission, theretamous Despateu. The present commission, neuro-fore, is a logical and sociological sequel to the aboli-tion of Haileybury and the spread of higher West-ern education in India. And so far from being alarming, it is a necessary and should be, from an Imperial point of view, a welcome consequence of the moral and material progress of India, as de-scribed in every official report, and of the successful seriose in every omeia, repore, and or the successful efforts of the british teachers, of theory in the Colleges, of practice in the administration, and sepecially, of the Indian Civil Service, to awaken and to raise up the Indian people and their charac-ter. It is an admission by Indians of their re-sponsibilities as citizens of the Empire and not merely of their aspirations. And, if as early as 1879, the proposal to fill up a sixth of the higher posts by Indians only excited little opposition and no alarm, the present excitement appears needless

in view of the admitted advance in moral and material progress in the last thirty-five years. That even Indian politicians realise the necessity of good administration, and not merely of Iudian or good summer and the administrators, appears to me proved by their giving up the Statutory Civil Service before the last Public Service Commission, though they gained mas a nume conventional management and a superactively little or nothing in return. And the sporadic extremism in one part of India or other, or individual instances of anarchy do not seriously affect this general view which is based upon the admitted general peace and prosperity, and is consistent with the recent reforms, legislative and

executive. vii. A discussion of the average qualities or character of the races appears to me to be a matter of importance in legislative proposals involving a franchise, but hardly in the questions before the Commission, where the pick of Indians are to compete, with any hope of success, against the pick of the British. Indians are already entitled to admission at the open competition; and the question is not, therefore, very pertinent. The Indian Civil Service, it is understood, is the dite of the British character. If members of Council and High Court Judges can be found to come up to the requisite character in spite of their race, and if Netire States have produced and produce administrators also of the requisite British standard in the highest posts, then the average of the Indian races is hardly in question. And there is no reason to doubt and every reason to believe that the appreciable Indian element picked ont will not fall below the necessary standard when admittedly the Judicial branch of the Provincial

Civil Service does not de so.

viii. Instead of abstract discussion as to the success of educated Indians, who have passed the highest mental test in attaining the British charactry, it appears to me more practical to ask all Indians and Britons to agree in recognising that though a larger admission of Indians may be permitted, the levelling must be up and not down, and that the good character, call it British characters. ter if you like, of the higher administration must not suffer for the sake of India herself. All the functionaries must be able to efficiently discharge their functions. I am myself sufficiently conservative to hold further that changes even in personnel are better and surer if they err on the side of slowness and safety rather than that of speed. In practice the standard of a body or a caste or service depends very largely upon its traditions and its caprit de corps. It is, therefore, worth while perhaps analysing and defining more clearly the requisite qualities necessary in functionaries in the responsible posts of Collectors and District Judges and to compare not the British with the Indian character, but to see what obstacles the Indian social system offers to aspirants before considering the methods by which a gradual increase may be achieved and a sudden increase minimised,

ix. I proceed to deal with the possible sociological difficulties of Indians. The prevalence of caste in India is an undoubted difficulty. But taking a broad and long look over British India or the Native States, as far as social intercourse between men of education is concerned, caste does not present any serious difficulty and is growing weaker; and the masses live upon perfectly vectors, and the number of cases, civil and criminal or revenue, in which the question of cases comes in is extremely small. I do not, in twenty years, remember a single case in which such a feeling was alleged against any officer and a transfer asked for on that ground. I do not remember any allegation of caste partiality on the part of any officer, Hindu or Muhammadan or Parsi, of the Indian Civil Service or the Provincial Civil Service. And, it is a matter of experience that apart from the influence of Western education, actual contact with the West, and a short stay in Bugland, makes resumption of caste in reality difficult, almost impossible. The example of Native States should suffice to dissipate these fears of caste prejudice.

x. As to sympathy, compassion to weakness and poverty is more natural to the Indian, I think, as contempt is more natural to the sturdy and more successful Briton and the real obstacle to the Indian officers' sympathy, caste, is weakening, as shewn in the good work by Indian officers in famine and plague.

xi. The only danger to the administration of a larger admission of Indians which needs serious a larger additional of the man and the consideration appears to me to be the danger of corruption, so long associated in the East with officialdom, though largely due to the irresponsible character of the latter. There are certain departments in all countries in which below a certain class, vensity appears impossible to efface, as compared to other departments. Thus the Commissariat in the Military, or the Customs and Excise in the Civil; are cases in point. But even here, as far as I know, the experience of the Provincial Civil Service is repeated. The see revenues to the Service is repeated. The Indian of electric, such as the graduate, if given pay sufficient to keep him in comfort, has done quite as well as any other officer of the same grade on the same pay. The graduate Manghiat, the real basis of the secentry, is almost, and the Deputy Collector quite, as bonces as the Subordinate Judge. The Indian Girll Service has the state of the Subordinate Judge. been the great means of setting up this high stan-dard itself and of enforcing it. With social public opinion in India approximating steadily to the administrative standard in this respect, no less than the tradition of the Provincial Civil Service in its higher branches, and with the proposed education and consequent increase in capacity of the masses to protest themselves; even in the case of the miscellaneous services, much less in the case of the judicial and the executive of the Provincial Civil Service, no serious fear of a falling off in integrity need be entertained.

xii. As regards physical courage, the Briton is probably superior in aggressive courage. Nor can it be pretended that Homer's heroes or even Kipling's row upon Native Indian bushes. But the mild Hindu and the warlike Muhammadan over the greater portion of India are the most peaceable and easily governable people in the world. In so far as courage is a matter of nerves and tradition, I think, the Indian members of the Services will worthily hold their own, where necessary, especially when it is conceded, as I understand it is, that most Muhammadans and some Hindus belong to warlike races and are not entirely devoid of courage.

xiii. As to sense of duty, the welfare of the people being the end of administration, I hardly think that, with the increase of education and patriotism and with the stimulus of healthy competition, as among themselves or with Anglo-Indians, the Indian's sense of duty is inferior. Finally, as to prestige, the Indian officer can inspire

Continued.

more affection, certainly in his linguistic provinces. The British officer may inspire more fear. But as the motio of the Indian Civil Service is camplained to Oderiat due melanat, the administration will eain by the addition of Indian officers.

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wife. Is be to be blaned because his heart is not in

in India but away? Or because among a people, so far removed in work of the temper and his nerver said his

temper and his energy? Or because among a people, so far removed in wolver, creed, easte and

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the country a geographical expression, in spite of all his efforts to bridge the again? It mould be

wrong to blane him for causes beyond his control.

He is exhibited to bridge the again? If it would be

worth the control of the control of the interval of the control of the cont

xv. And as to this character, although the Indian Civil Service cannot claim as its own, either the main Codes and Laws of Mazanlay, Maine or Stephen, or the revenue system or machinery which is a detailed and accurate continuamanumery when is a detailed and accurate continua-tion of Todar Mall's and other previous Native Indian systems, its greatest claim appears to me precisely to be, after the days of Clive and Cornwalls, the clean and bealthy life it has lived in the sight of the people. That the State is different from the estate of the ruler or easts of rulers and has high standards of justice and numanity, that the law or rule made by the State, once made, is law not only for the ruled but also for the rulers and the State and enforceable as such at the hands of Judges, whom the State desires to be fair even against itself, these maxims, elementary to the West, new to the Bast, have been lived by the Indian Civil Service. Whatever its shortcomings, against its probity, there never is whisper. It is this life and tradition, which it has set before the Provincial Civil Service, and which the latter, especially Civil Service, and the subordinate judicatry, have admirably taken up and carried out with little local supervision and with results totally inconsistent with those deducible from the want of the British character, or the Eastern mind or the ancient association hetween Eastern officialism and corruption. It is not a pure accident that Ranade and Sir Syed Ahmed both belonged to the subordinate judi-ciary. And it is upon these results that my answer to the question of the separation of the judicial and the executive is based [vide Indian Civil service questions (33) and (86); Provincial Civil Service question (18).] These answers are so detailed as to render it needless for me to trouble the Commission further on this point. But there is one further separation that the Indian Civil Service will do well to anticipate in its own interest, viz. the separation of the function of assessing the land revenue from the function of its collection. The former could be as well, if not better, performed by an expert Agricultural Department independent of the Revenue Department. I am much mistakes if thouse clusters with the assessment by the Agricultural Department must pass through the Revenue Department, which will consider it it is to have for collection, and escape the inclusioness of the present combination. But perhaps I attach more weight than others to these two departments—Agricultural and Ribasticous, for positive benefits to the masses, even a compared to the extentive or the judicial. And I throw out the suggestion for what it is worth, with all deep hamility.

xvi. Finally, there is one aspect of the questions, I must hazard as above race and class. Indian Civil Servant, no less than the Indian who voices aspirations, will adm't that the interests of the voiceless masses who mainly furnish the taxes must be guarded. In their interest it will be agreed that the number of functionaries must be reduced to the absolute necessary minimum, except perhaps in the departments of agricultural and primary cheation. A creation of posts merely to satisfy Indian aspirations without enercaching upon existing interests is therefore to be deprecated. It would be presumptuous for me even in the interests of the masses to inquire whether, even to satisfy Indian aspirations, costly Executive Councils are really needed in provinces which so far have done perfectly well without them, or if three Executive Councillors are needed to do the work so long and so efficiently done by two. But, the Bombay Executive with only Commissioners cannot, nor, I imagine, do the Madras Executive with only a Bard of Revenue, admit that the Bengal Executive with its Permanent Settlement and less revenue work are more efficient with both. Again, some of the pasts recently created, such as the Deputy Inspectors General of Police, I have heard described by Superintendents of experience as needless and only entailing vexations interference and red tape; and even Deputy Superintendents of Police are little utilised except as Inspectors at Head-quarters. There talukás where three sub-inspectors are employed, where one sufficed before. The masses of India are already wask and lethargic. The tendency of latter day Commissions and reorganizations has been towards an increase of costly functionaries at the top and an increase of still ill-paid and, therefore, corrupt functionaries at the bottom. And I for one should be sorry if, in the present case, even so desirable a change as the separation of the Judicial and the Executive were to be attended with any appreciable addition to the burden upon the masses. On the contrary, in their interest, it is rather for the Commission to see whether in view of Railways and quicker communication, reductions cannot be made in the supervising agency in all departments, and to ask the supervising agency to suggest reasonable reduc-tions below, in quantity, which may, if necessary, be used to raise the quality.

zvii. I trust I have succeeded in proving that the questions before the Commission are sceningcal questions of systems, found to be not now adapted to progressive conditions in India and in ne way due to or reflecting upon individuals or personnel, whom it is unduit to saidle with the

responsibility. It is vain, therefore, to attempt to solve them by quests ofter better character and personnel, to be attracted by better ray. The Indian Civil Service in the interests of the Empire, will, I hope, recognise this, and not resist a widening of its doors nor a reduction of its posts nor a separation of its functions. New blocd will strengthen and not weaken great British institutions. The present com-bination and monopoly are not of its own seeking. Not the Indian Civil Service but the British people are responsible for not foreseeing after 1858 the consequences attaching to a Tractical abolition of the previous supervision of the East India Company and of the practical handing over of its functions to a close body of functionaries in defiance of the scolological law that, of themselves, functionaries in all countries tend to multiply themselves and to extend their functions. Since British character has loomed so largely before the Commission, it might be permitted to ask if it was not this same character, which was responsible for allowing the present system to grow? I am tempted to re-flect upon what Lord Hugh Ceril says of Sir Robert Peel (Conservatism, page 69), "The British temperament makes institutions work and carries on the administration of a great country, but with profound distrust, almost impatience of theories or abstract principles. It will refuse not only to make changes but to see them unless con-fronted with the irresistible logic of facts. These are the defects of the qualities of that shrewd practical common sense and that tenacions energy, which make the Briton great, even in the absence of imagination, and theory." In India, however, with a sentimental people, stronger in the two latter qualities than in the former, and with so strong and centralised an administration, irresiststrong and centralised on administration, pressu-ible in its physical stenetish, the dangers are obvious. The Indian Civil Service is placed in the delicate and havidious position of acting as Jury if not Judge, and of sifting and gauging the strength of honest sentiment, honest patriotism and honest virility and energy, in a word, of honest aspirations and of fitness, the gratification of many of which reduces its own functions or power or emoluments. It has often to assume the attitude of 'not yet' to aspirations. Thus in the work of positive social reconstruction in India, that which the main motive force and basis must be that of education of the masses, and the dissolu-tion of the caste system, it has had to assume this somewhat invitious affiliade of 'not yet.' In this work of gauging the moment when fitness and political expediency meet aspirations and will enable Government to say 'yes', an appreciable Indian element of officers, whose status enables them to offer an honest independent opinion as to the progress in the districts should prove of great use to Government even as their example and stimulus to progress, other than political, should

be to the people in the district.

xviii. It is from this Imperial point of view and
in this cold solve light of scotlongy that I have
attempted to view these questions, and arrived
at a conclusion in favour of the greater admission
of Indius and of the expediency of a seponation.
On the cost hald I do not cangerate the effects
of charges of personnel in the administration.

Except in famine times, I see no emigration from Native States whether those following British lines such as Baroda, or others, such as Hyderabad. lines such as narous, or casers, such as Hyderaked; into British Territory. Nor on the other hand, am I dismayed by the cry of danger to the Empire, which has always preceded each and every admission of Indians to higher posts, and which, as invariably, has proved to be a false prophecy, the shortlived experiment by nomination of the Statutory Civil Service perhaps excepted. As to the method of this increase, a simultaneous examination in effect comes to little more than a saving of passage money to and back, and expenses for a month in Great Britain, though that is a serious matter in a poor country such as India. If granted as a matter of fairness and subject to safeguards such as admission only to graduates 1st and 2nd Class and to M.A., it will stimulate higher education and broaden it and avoid excessive competition. And in any case I do not think, so long as the course is what it is, that it will admit more than five or six Indians a year. If that is considered inexpedient, it is open to have a separate examination for such men for a third of the posts upon a course breadly similar to the Indian Civil Service by open competition, but more suited to Indian candidates. and then to send the successful candidates to England. The extension of the listed posts is merely a question of promotion by selection of approved and experienced Indian officers and can hardly well be resisted. But I would have the higher Provincial Civil Service recruited by open competition with a course of liberal studies upon the same lines as the Indian Civil Service open competition, but more modest, so as to enable the higher Provincial Civil Service to draw nearer in broad outlook to the Indian Civil Service. The Commission will doubtless test my other suggestions from other points of view. As to the question of the gulf of colour or of 'que-vadis,' where Lord Cromer fears to tread, I may be pardoned for not rushing.

xix. However that may be the large problemof the future has been stated by Lord Curzen;
"How to adjust need to nationality and how to
reconcile nationality with Empire—that is the
work which will county the Bratish rulers of this
country for many years to come. I am one of
those who believe that it can the accomplished
without detriment to need or nationality and with
safety to the Empire. I want the Judius people
to play their part in this great achievement and to
share the results.

xx. The Indian members of the Indian Grift Service both as Indians and as administrators have, and will still none have, to strive to kive these problems and prove their service to India, to the Empire and to the Crown. But whatever the econolisions or recommendations of the Commission from its standpoint of Imperial statementality, and whatever changes may be made, separation or no separation, reduction, arrest or increase of element, British or Indian, in the ligher administration, the Commission may rest assured that these changes will be joyally accepted and carried out, certainly by the Indian members of the Indian Civil Service, and, I think I right even venture to say, by the Indian Civil Service, and, I think I right even venture to say, by the Indian Civil Service, and, I think I right even venture to say, by the Indian Civil Service as a body.

## Written Answers relating to the Indian Civil Service.

30785 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle ?- Recruitment by open competitive examination for the Indian Civil Service lins, upon practically unanimous testimony, British and Indian, official and non-official, proved so satisfactory and equal, if not superior, to the system of nomination, that even if the latter were dignified by the name of selection, and modified by examination or nomination by classes or bodies, unconnected with definite interests, British or Indian, e.g., Head masters, Civil Service Com-missioners, and so on, a return from the present system to any other would soon result in a gradual return to the creation of the sinister interests, to destroy which the present system was created. The only two objections I have seen stated to the present system are that it does not always ensure (i) gentlemen, (ii) character. Both are terms interpreted according to the class of the interpreter and his class ideas; and, in practice, are as difficult of attainment by nomination, which implies an impalpuble examination by the nominee, as by the present system, unless, in fact, a plutocratic test, whether in land or in other income, is to be imposed—an impossibility under existing condi-tions. I conclude, therefore, that with all its shortcomings, the existing system, which has worked satisfactorily in practice since 1853 must be accepted in principle, as the only possible system. I would add that the imperiousness and want of I would not the the inferiousless are want of the sympathy and contesy, which are commonly charged against the Indian Civil Service would remain, if and to the extent they may exist, under any system of nomination pure or combined; because they are the consequences not merely of personal defects but far more of the system of easte and of more or less absolute Government by one caste, which existed before the British for thousands of years and which still practically exists, the ruling race being practically a sociological raste intermerrying within itself. The division of reis and rayat (rulers and roled) mul-tiplied by the division of caste has always resulted, even before the British, in houghtiness and contempt towards the ruled on the part of the ruling easte. Add to this the difference in civilization, language, and-truth compels me to add-colour, a point few Anglo-Saxons really seem able to get over; and it appears to me seem and to get over; and it appears to me evident that no change in the system of recruit-ment in England will appreciably change matters; and that a quest after "gentlemen" or "character" or "manners" will be as fullle as an expectation of increase of popularity among the people, or efficiency by such altered systems of

30786 (2). In what respects, if any, do you find the present system faulty in detail, and what atterations would you suggest?—The only great weakness in the system is that, in practice, it largely excludes peer candidates, both British and Indian, and confines the Service mainly, though the answer to questions (20) and (21) not solely, to certain classes. Considering the confisce of the confines the configuration of the configuration в 495-65

of the middle class, and the fact that, apart from a similar though slower economic tendency. in India, learning, intelligence and the ideal of plain living and high thinking, whether among Hindus or Muhammadans, has usually been and to a large extent still is more common to castes of poor scholars, Brhámans, Syeds, Maulavis, etc., this standard of wealth among candidates deprives India of the services of a good many youth, British and Indian (and perhaps of the domiciled com-munity, with which I am not so well acquainted as I should like to be), who, in my opinion, could do good work for India and for the Empire. Nevertheless, instead of advocating any alterations on the part of the State, I would trust in England and India, to the greater facilities and spread of higher education, and in India, to co-operative efforts among Indians, whether as a whole or as among each separate community, to ad promising youth debarred by poverty. Such efforts in a small way are actually in existence; and the demiciled and the Mubammadan communities, I understand, are preparing large and com-prehensive schemes which deserve and, I hope, will meet with every success. The Government in India, where poverty is really the cause of intelligence being kept back, could aid, as they are aiding, by free scholarships. Finally, Ladvocate simultaneous examinations to remove this bar of poverty for Indians of all communities including the domiciled community, and this great protective measure against India, which handicaps Indian (including domiciled) youth to a far greater extent than it does poor but deserving British

30787 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The English language, the course prescribed for the open competitive examination and the fact that it is held in London are among the many difficulties which beset the Indian aspirant, which can be appreciated by an imaginary reversal of the position. But, as explained in my general note, the question has to be looked at not from the point of view of any class, Indian or even British, and answered not merely upon the assumption that Indians have a superior claim to employment in their own land, but also upon an examination of the functions, present and in the immediate future to be discharged by members of the Service; and if the main function be to administer according to British ideas in a British spirit, then these dis-advantages to Indian candidates must, as far as language course to a large extent and so on, be faced by them in order to qualify themselves successfully for the discharge of their future functions. But as regards locality, a simultaneous examination is essential. From the principles of the examination as laid down by Lord Macaulay's Committee, no great departure is necessary. But there appears to be no objection against and much is to be said for a premium by increased marks upon subjects, essential or important for the future administrator, such as Economies, History, Political Science and Sociology, which are already comprised in all schemes of liberal education. My detailed proposals as regards these additions are stated in

continued.

propose ?—Sympathy with the people of India has been universally recognised, from the highest quarters downwards, as an easternial for the Indian Administrator. It follows that subjects born or bred in those Colonies, whose Imperialisie spirit and antipathy to Indians have been shewn by legislation to exclude Indians, should be excluded from the open compelition for the Indian Civil Service, as labouring under an inherent and a fatal

disqualification 30789 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?-In view of my answer to question (4), and of my support of the proposal to hold simultaneous examinations and the modification in the subjects for the open competition, I favour a separate and not a combined examination. But upon broader grounds also, the conclusion is the same. The conditions and the work in India are so different to those either in Great Britain on the one hand, or the Colonies on the other, that a separate examination for each appears more advantageous to each of the three portions of the Empire than a combined examination to any or all,

Normal Camera and the consider the present system of remutiment by an open compelitive examination to satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(c) Selection by headmasters of schools approved or otherwise: (c) Selection by the particular of schools approved or otherwise: (c) Nomination by headmasters or Universities and selection under the critics of the Secretary of State: (d) Combined monitation and examination: (e) Any other method 7—My answer to question (1) unaquivocally in favour of an open competitive examination constrains me to open competitive examination constrains me to open on the preventions of the continuous constraints of the continuous constraints and the proposal of the continuous constraints are to open competitive examination constrains me to oppose any of the proposals (c) to (c), which appears to me to be reversions in one form or another, responsible to Indian or Declaration).

irresponsible to India or to Parliament. 30791 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty ?- I am in favour of a system of smultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty-the Anti-Indian Colonies perhaps excepted—upon the broad ground that the holding of the examination in London only is an unfair and needless differentiation in favour of British candidates and against Indian candidates in respect of work in their own country. Except, upon the assumption of the right of conquest, however veiled by phrases such as Western Civili-sation, British Character, the Oriental Mind, and so on, the system appears to me to be indefensible upon any pretence of civic justice to the Indians. I add needless differentiation, because the apprebension that such an examination will suddenly or within an appreciable time swamp the Service with Indians, appears to me to be vain, to do injustice to the intellect of the British youth, and to betray an inconsistent and an unreasonable fear of the same despised Oriental mind, which on the one hand, it is said, will always remain childish, but which, nevertheless, it is feared, will beat the pick of the British youth in the only test of

learning, so far devised by man, vis., examinations in subjects essentially Western, with every facility for learning in England and comparatively none is ladie.

This inconsistency alone should suffice to suspect these fears and those views as equally unsound. I should doubt, if out of the candidates appearing at such a simultaneous examination, more than four or five would succeed, if so many.

For other general considerations, I would refer the Commission to my general note. To avoid any danger of excessive competition the avoid minimization here might be held open only to M.A.'s or B.A.'s, who have passed in the let and 2nd class, between the necessary age-limits.

80792 (S). Are you in favour of holding this cranminaton simultaneously at any other centure or confere within His Majesty's Dominions?—Noy, Lundon, and one centre in India, for the present Bombay or Cakeuta, later on Delhi, if it becomes the seat of an Imperial University. The demand formulated in one of the Colonies, I think, Australia, by a reversed gentlemian of the New Imperials, m. Krichett, that it should be hald in Australia, papears to me, for the reasons stated in answer to question (4), indiminishe. And except upon the assumption of the theory of the Cervice being a "pageda tree" which the Colonies are entitled to shake, no cases, as far as I know, has been made out for the examination being held eisewhere.

30793 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India?

If so, what proportion do you recommend?—

Although I hold that an appreciable addition of Indians to the Service would add, not take away, from its real strength, I hold equally strongly and for the same reason that the Indians must be such as to keep up, if possible to raise, in no case to lower, the standard of the Service, in which I include its traditions and its esprit de corns. These are mainly based now upon the fact that all have joined after a fair, free and open intellectual test. If, therefore, a simultaneous open examination at one centre in India is granted, then I would oppose this separate examination. simultaneous examination in India is not granted, I would reluctantly submit to a single separate examination in India. The proportion should be, I think, one-fourth at the least, if not one-third,

I think, one-fourth at the lesse, if not one-third, 20784 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of Isdia" would be selected in India for admission to the Indian Civil Service by means of (a) nomination. (b) combined nomination and examination, (c) combined nomination and examination, (d) combined nomination and examination, and the property of the companion of the property of the companion of the property of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the companion of the Companion of the companion of the Compan

Mr. G. D. MADGAVKAR.

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and one in which, tules I am very much mistaken, the differs who have to nominate would gladly forego the pleasure of the exercise of patronage for the mast-fantoniers of the work, and often of its results, which are afterwards used to show the unfiness of the most of the nominess. I would invite the attention of the Commission to the evidence of Professor Worksworth on this point before the last Public Service Commission (Vol. IV, page 194 A-1569) and of a living edinational sultority, Rev. Dr. Mackielsan (page 279, No. 897?).

I do not consider that the Service should be looked upon as a joint apparage in white each earls has a separate indefausible right. To me it appears that the resulting senants for lower and fishes would greatly lower the tone of the Service, if the primaple of political representation among the various custes were once introduced. I prefer the traditions of the British rather than those of the American Uril Service in this respect. Whatever may be said for the theory of the right of representation of castes in electrates and Lagislative Councils, I consider the principle of representation of castes in the Public Service to be wrong in theory, and to he most difficult of noglication in India; and the higher theoeffice of the Service, the greater the Service hecause of the greater necessary qualifications and the narrower field and the consequently grater loss to the country.

This objectionable principle is, however, very different from that of the prevention of monopoly in any large Service—an important matter I consider, and essential, as long as caste retains its strength in India and indeed one of the main arguments in favour of the greater dilution of the Service with Indians. This results should and can be achieved largely by equal educational facilities and free competition. I might mount memores and tree competition. I might instance the constitution of the Indian members of the Indian Civil Service now serving in this Province. In the latest list to hand, dated this Province. In the latest we would age to 1st October 1912, I find out of 175 members, 11 Indians, divided into eastes as follows: 2 Muhammadans, 2 Parsis, 1 Bengali Christian, 1 Canarese Christian, 1 Bengali Brahmo, 1 Bengali Kayasth, 1 Punjái Agarwalá, 1 Marátha Dai-vadnya and 1 Marátha Shenri or Goud Sarasrat. I exclude 2 Jews, I believe, originally Baghdadi Jews, who might object to being classed as Indians, But the point is that among these 11 or 13 with the possible exception of this last, whose title to being a Bráhman, many Marátha Bráhmans would dispute, there is not a single Brahman. The Commission will be able to amalgamate and to analyse the composition by easte of all the Indian members of the Indian Civil Service in the whole of India; but I should be surprised if the result among the 65 members or so out of about 1,200, which are, I believe, the totals, differs materially from the result in this Presidency.

This face of casts, especially of Brishman preponderance, appears to me equally untenable, if judged, not from generalizations about their superiodity in possing examinations, but from the light class taken by Brishmans in the Bombay University. The latest calcular with me of the Bombay University reveals a preponderance of non-Brishmans in the First Classes. Taking the years from 1895 to 1910 the M.A., 1st and 2nd classes, and B.A., 1st, give totals as follows. On

of 141, 36 Bráhmans, 51 non-Bráhman-Hindus, 54 non-Hindus. Similarly, taking the B.A. in the 1st class out of 71, 21 are Brahmans, 9 are non-Brahman-Hindus and 41 are non-Hindus. Finally, when it is remembered that whatever be the case in Madras and to a lesser extent in Bombay, in the greater portion of Northern India including Bengal, there are important non-Brahman castes, such as Kayasthás, who have more than held their own, and thus in the United Provinces for instance, the Muhammadans, thank, largely, to Sir Syad Ahmed and Aligarh, eccupy about 50 per cent. of the superior posts in Government service and not the 15 per cent, of population they represent, my conclusions are as follows. A large percentage of Bráhmans in proportion to their numbers may be candidates and may even pass; but the majority of the candidates, much less the successful candidates, would not, I think, be Brahmans. I confess that the swamping by the Brahmans appears to me to be a bogie, which does injustice to the talents of the non-Brahman communities. I would add that even in those parts where the majority of officers of the Provincial Civil Service are Brahmans, I have heard no complaints against them as Judges and few as executive officers. It is rather, when a single sub-caste, e.g. Chitpavan or Saraswat, is massed together in an office in ministerial capacities immediately under the Collector or the Judge, that the monopoly is attempted to be kept up and needs breaking up. this phenomenon occurs equally in commercial offices in Bombay: a Parsi Head Clerk tries to fill the office with Parsi clerks, and so on; and the phenomenon is, I believe, not unknown in England. in departments where competition does not exist and pepotism has opportunity. But, subject to correction, I may assert that I have never heard it whispered of any Indian member of the Indian Civil Service that he ever allowed his caste to influence him in the slightest in any official word or deed. Holding these views, it is difficult for me to suggest as to how this principle should be given effect to. The power Government already possess of posting successful candidates wherever Government pleases can always be exercised to prevent an Aivar or an Aiyangar from being posted to Madras. if they think the probable disadvantages outweigh the advantages. Most Indian members of the the advantages. Most Indian members of the Indian Civil Service are so keenly alive to the danger of aspersions of this kind that they usually nanger of separators of and kind that they make not to be posted to districts, in which their caste is strong; and I know of one who being born in Bombay, tetused for some years a profered transfer from Burma to Bombay. Again, even in each Province, there are districts where there are few or none of the candidates' caste. A transfer to this district is always in the power of Government, A good deal of confusion results from the loose use of the word caste or Brahman. The correct sociological definition would be the group which allows intermarriage. Where two castes of Brahmans, even speaking the same language, do not permit intermarriage, there is an absence of solidarity, there is usually the presence of jealousy, and the presence of both castes is not usually a monopoly or a sinister interest, such as the loose use of the or a misser interest, such as the node use or the term "Bráhman" would suggest. As an illus-tration, I may cite the two districts of Ratingjir and South Canara, where different castes of Brahmans neutralise each other and prevent a monopoly. Similarly, in Gujarath, the Nagar and the Audich or other Brahman.

Continued.

The interest (as it happens, it is in the Presidency largely a caste) in the different lingual divisions, which I think it most desirable should ters of sympathy have been shed, but for which little has been done. I mean the which never interest of yeomen farmers, who till their own land. As it happens again, in Sind, this is a Mubammadan interest, in Gujarát, Mahárashtra and Canárá, a Hindu interest, vis., Patidár, Marátba Kunbi, and so on. In order to represent this interest in the administration, I have made proposals in my reply to questions
(1) and (2) of the Provincial Civil Service questions. A generation's training should enable them to turn out candidates, I hope, successful candidates for the Indian Civil Service. But, even for this interest, much less for other interests, I am able, etc. in the sense that nomination by castes should be made to the Indian Civil Service.

Of my own Service, I would say that to the British member all eastes of India usually areexcent when any member has Brahman or Hindu on the brain-equally near in being equally far; to the Indian member, they should be, as I hope they are, equally near as being equally dear. The Indian who cannot rise above caste in the discharge of his functions in the Indian Civil Service is,

I consider, untit for the Service.

The Hindu caste has grown by pathological hypertrophy and fission, so small, that it is easy for the educated Hindu to get over it and leave it behind for good without chance of resumption, especially with a visit to England. Without venturing to speak for the Muhammadan, I see no reason why the same should not be the case with reason why has same should not be the case with him. And last but not least, I repeat I have never heard of a case of an Indian member of the Indian Civil Service who has allowed caste to influence him in any way in the discharge of his duties, even in his own province or among his own caste. I might cite the late Mr. R. C. Dutt or Sir K. G. Gupta as conclusive instances to the contrary if needed, in their support of the Bengal Tenancy Bill, for instance, to show their independence of their own class and their disinterested sympathy with measures for the

medianton of the masses.

30795 (11). If you are in favour of a system
for the part recruitment of the Indian Civil
Service by "Natives of India" in India, do you
canadise that "Natives of India" should still be eligible for appointment in England, or would you engine to appendict a suggestion of the subjects of His Majesty?—Yes, the open competition in England should still be open to Indians. Some Or then may and do accept the superiority of British ideals to such an extent that they send their children to England to pass through the public echools and the Universities. These should be allowed to compete, as representing the greatest effort of Indians to approximate to the British character and thus fit themselves most for the British character of the higher administration, The examinations both in England and in India must be open to all British subjects of His Majesty, the Anti-Indian Colonies alone excepted.

30796 (12). Would you regard any system of , selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present.

Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services ? I am unable, in the face of the melancholy failure of the experiment of the Statutory Civil Service, to regard with any favour its renewal, whether dignified by the name of selection or nomination. I recommend an increase, not a decrease, in the number of listed posts thrown open to the Provincial Civil Service, which in the indicial, and to a less extent in the executive, does most of the work and gets too little of the eredit.

30797 (18). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No; but I recommend a free choice by Assistant Collectors, after 3 or 4 years' service, of the Judicial, with perhaps an additional inducement, say Rs. 100 per month, for those who do. If, after this, a sufficient number do not come forward, the number must be recruited from the Provincial Civil Service up to the necessary amount; and the Indian Civil Service will have itself to thank, Above all, no pressure should be put by Government to thrust judicial work upon those who prefer executivo work.

The fitness of those who choose will be tested in three or four years; and the unfit will revert to the executive, unless they are so unfit as to require compulsory retirement in the interests of the administration and the Service. Those who aminimization in the Judicial, will, if they are wise, take two years' furlough, spend it in England studying for the Bar and come out qualified as Barristers.

80798 (14). Are you satisfied with the present-definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (38 Vict. e. 3), as including "any person born and domiciled within the Dominions of His Majety in India of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I only suggest that subjects of Native States should be definitely brought within the section. For the trest, the question of satisfaction is one rather for the domiciled community to answer than for any others. The peculiar difficulties of that community under present circumstances are entitled to sympathy; but they appear to me largely to be of their own meation, and some of the creation of Government. The former are caused by their pride, which refuses to accept the fact that, for good or for evil, their interests, as permanent inhabitants of the land, are bound up with the interests of Indians for whom, as they think in fashion bound, they, as scions of the ruling race, usually profess contempt and from whom they usually separate themselves, in order to pose as the ruling race. The latter are due to certain " Caste" legislation, such as the Arms Act, the peculiar rights of European British subjects under the Code of Criminal Procedure.

The net result is at present that the domiciled community, when it seeks to take advantage of the Act above is Native and otherwise European. And system of promoting to listed-posts, officers of the the tendency on the part of many members of the Mr. G. D. MADGAVKAR.

Indian Civil Service is now to employ them in the higher ministerial posts, besides reserving for them in the main, certain Departments, such as the Customs, the Salt, the Telegraph, etc.—another illustration of the "Caste" tendency.

Nevertheless, with the increase of real education and under the guidance of wise leaders, I trust that, as time passes, their pride of race will give place to a feeling of duty for what is, after all, their country; and to a sense of their permanent interests; and that, instead of their present pose of an armed foreign garrison against "the Natives" they will take their place among the Indian communities, it may even be at the head of the Indian communities, and will be a real and valuable source of strength to India, and a strong link of Empire between India and Great Britain, instead of a small forlorn community, seeking for crumbs and exceptional treatment on the strength of their percentage of British blood. This, I venture to think, is the manly and the right attitude, and the only one, which Government and its officers should encourage. And my hope in this change of attitude on the part of the domiciled community disinclines me to advise changes in the Act, even though it is at present open to abuse.

adoute it is a present open to souse.

30792 (15). If the system of revaritment by
open competitive examination in England is
retained, please state the age luntils that you
recommend for candidates at such examination,
griving your full reasons. Do you consider that
the age limits should be fixed to attend candidates
of the termal school-leaving age in England, or
candidates who have completed a University
course, or candidates at an internalize stage of
education 2—I recommend 21—25 on 1st August, if
the Indian Universities remember a Hagust, or
letter Entrance Examination; if not, 22—35 on
1st August as a present, so as to attract candidates who have completed a University course in
both countries, and to give them a year probation
and thirty years of service, after which the
climate of India units most men for good work.
My reasons are briefly:—

(i) The Indian climate, as above.

(i) The north cannot be above of the Indian Civilian require a large heart, a matured understanding and believe of judgments, and great self-control. British youth, in view of their slower development, do not, I think, attain these qualities earlier. If I may say so without offence, the life overgrown school-boy. Even in the case of Indian youth, usually more precessions perhaps in point of pure intelligence, I consider that this sober judgment and self-control are really not attained much earlier. And I attach to those lark qualities greater importance than to more intelligence.

(iii) There are certain disadvantages, doubless of this later age, such a diminished impressionability in the case of British youth, a greater tendency to come cut married, readering life and movement on tour more disasted and difficult. But even so, these disadvantages oppear to me to be less. It is better for the officer and the possile that the former should, in the slight of the latter, lead a clean and healthy life. Children, among Indiana, invariably attract sympathy. The Bagish woman, septically if she aboves to learn the language, has great opportunities for good. And as to the impressionability (rief my masswer.)

to question (20) ], an encouragement to sociological and to Oriental studies to would-be candidates by a premium in marking at the open competition will, I hope, encourage more "Varsity" candidates to interest themselves in India than they do at present.

present.

308.00 (18). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in faces from 1876 to 1891 (age limits 17—19 years, followed by two or time years producing at an approved University) and sense 1891 (age limits 21—26 x 22—24 years, followed by one year's probation) t—I am myself one of the last producte of the I—19 age-limit, and can debit myself with a sufficient errors of Judgment in myself years, which an older man would probelly have avoided. But apart from this, I omaided upon the average the members recruited under the later age-limit, are equal—I would almost say, superiors—especially in understanding and self-control to these recruited from I—19.

30801 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Upon the whole, good. I see no reason to believe that the average is being at all largered, whather British or Indian.

lowered, whether British or Indian. 30802 (18). What is the most suitable age at which junior civilians should arrive in India? 24 or 25 years [vide answer to question (15)].

30803 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India", a d for what reasons? Do you recommend any differentiation between the age limits for " Natives of India", and for other natural-born subjects of His Majesty?-If by "snit" is meant give the rate stagesty (--11 by "sont is meant give the best chance of passing as equaris. British youth, on account of a more preceious rate of excellent growth, perhaps 19 to 21. But as explained in my note and my answers to questions (10) and (16), the right point of view appears to me, not have to attain by artificial and differential methods, accountaint with the Service and all series of the contraction of the service of the contraction of the service of an importation into the Service at all costs, of any or even all Indian castes or the Indian element, but first and foremost the conservation, if not the raising, of the character and efficiency of the Service. I am not in favour of any such differentiation, whether of age or of subjects of examination. For the same reason, I am in favour of the abolition of the present differentiation in favour of the British candidates by the holding of the examination in England only. In view of the connection between Great Britain and India, Indian candidates must be prepared to face and to surmount the other difficulties.

20804 (26). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle held down by Lord Macaulay? Committee in 1805, and since followed, that, the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devel binsself, lave, any reason to regret the time and labour which he had spent in preparing himself to be examined? and that the object should be to scene, not specialists in any rationaler subject that may be needed in a subsequent Ionian caree, but the ordinary well scheecked young man of the period?—Breadly, yee, in the scene of a sound liberal clausion. But appealing himself, we have a subject to the ago of 21 to 23 at least, if no 22 to 24, 1 to 25 at least, if no 22 to 24, 1

7th March 1913.]

Mr. G. D. MADGAYKAB,

continued.

think that, without excluding any subject ordinarily comprised in a scheme of liberal education, general studies more appropriate for the future Indian administrator, such as, Sociology, History (including Indian History), Boonomics, Political Seignee, and languages such as Sanskrit and Science, and inaguages such as Sanskrif and Arabic, which will give him a greater interest in Indis, should earry higher merks, both shoultely and relatively in the open competition than they do at present. This would also probably render the year's probation more available for special studies for the average probationer. He cannot be called examiliate deposition but a this archive the called specialised education but rather modernised imperial liberal education, as useful say to a journalist, a professor of Humanities in the larger sense, or a school-master, as to the future member of the Indian Civil Service.

30805 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of schoolleaving age and (b) of University-leaving age ?-I am only able to suggest changes upon the basis of (6) rather than (a). I adhere substantially to the subjects in column 1 of Appendix I, i. a, as they were from 1892-1905 with a few additions

nd changes as follows:				
		Subject,	Mark	
	1.	English Composition	500	
	2.	English History	\$00	
	3,	Indian History	500	
	4.	English Law (Contract, Criminal,		
		Evidence, Constitution)	500	
	5,	Indian Law (Centract, Criminal,		
		Evidence, Constitution)	500	
	6.	English Language and Literature,		
		rapocially, from Elizabeth stimes		
		down to Tennyson	500	
	7.	Greek Language and Literature		
		(No versification into Greek)	500	
	٥,	Greek History (Ancient including		
	a	Constitution) Latin Language and Literature	400	
	25	(No versification into Lotin)		
	10	Roman History (Audient including	500	
	201		400	
	11	French Language and Liberainge	500	
	19.	German Language and Literature.	\$80	
	13.	General Modern History (No	400	
		special period)	500	
	14.	Mathematics, Pure and Applied	900	

900 ) at the most; 19. Materiatics, Fore and Applied ...
15. Natural Science (not more than
three subjects) 200 marks each .
16. Logic and Mental Philosophy ...
17. Moral Philosophy (Antient and 900 \$ Philosophy (Antient and Modern) 18. Political Economy and Econ

History Political Science (600 P) (600 P) 19. 500 500 20. Secialogy Sanskrit

The changes suggested almost explain themselves. The marking down of the classics to the level of the modern languages is in accordance with modern educational scientific tendencies, except in the conservative English public schools, though even there the strengthening of the modern side is noticeable. Indian History should be added as a stimulus to British youth and as an important part of the History of the Empire, to important part of the history of the imprice, to be treated quarf from General Modern History. Similarly, Indian Law, as the meet valuable Illustration of collided law by the most eminent British Junius, Stephen, Maine, éto, deserves study from a liberal juritisal and Imperial point of view, as emplementary to the corresponding Maglish jungemade law.

Mathematics and Natural Science are both subjects, the value of which it is difficult to overestimate. But, upon Lord Macaulay's own prin-ciple, they appear to be over-marked, the origin being, I imagine, rather that Cambridge should not be placed at a disadvantage as compared with Oxford, than any other. Similarly, without underestimating the importance of the logical or underestamating the importance of the logical or the broad philosophical mind, I think, 100 marks each could be taken away from thom, oven if these marks are not, as I think they should be in an examination for administrators, added to Recnomics and Politics.

I have ventured upon the addition of Sociology as a subject. It may be objected that there is yet hardly any science worth the name. But, even so, the data already gathered of the manners and customs, and the evolutions of various peoples and their civilisations, and, above all, the matner and the scientific spirit and habit of looking at various societies and the human race as an interdependent to a certain extent, organic whole, are valuable and might perhaps be useful as a prophylactic to the common British spirit as to Eastern civilisation and coloured races. The subject might, therefore, be included.

It will be seen that the subjects remain easentially as they are and in no way favour the Indian candidate as such, while they perhaps remove the grievance as to Sanskrit and Arabic.

Under existing conditions, the course suggested does not appreciably add to the chances of the Indian candidate or diminish those of the British candidate. One might go further and say that, even if the Varsities and Wren's were transplanted to India within the next generation, the course, even with a simultaneous examination in India, is likely to leave the proportion of the successful British candidates very much what it now is. There are no facilities in India for learning Greek or German; and outside the three Presidency Towns, none for Latin and few for the cognate Ancient History, Greek and Roman. The reduc-tion of marks in Mathematics, in Logic and in Moral Philosophy-all subjects possible of learning in India - prejudices Indian candidates more than it does British candidates, I may say, perhaps, Bráhmans, more than any other, as they have perhaps a certain natural taleut for these abstract

I add these remarks, not because the changes have been made upon any basis other than Lord Macaulay's principle brought up to date, but because, after being so made, they appear to me to pass the test of those who insist, I think rightly, upon the British character of the open competitive examination.

In order to avoid smattering and cramming, I should maintain the rule deducting 100 marks from the marks obtained in each subject but further, I would not, I think, restrain the number of subjects.

\$0806 (22). Is any differentiation in the subjeets for the examination desirable between candi-dates who are "Natives of India" and other candidates? If so, please state them and give reasons?—Emphatically, no; Indians, wishing to succeed, mast surmount the handle is, and ask for no favour but only for a fair field.

(i) The intellectual average of the Indian Civil Service, so far as examinations can test it, must Mr. G. D. MADGAVKAR.

continued.

be kept up with an Indian element, not brought

(ii) Difference of test means admission of difference of intellectual strength and loss of prestige within the Service and without. I am sorry to see this position of fear of Indians from simultaneous examinations taken up by some Europeaus; I cannot follow them in it even though I think the British youth will pass the examinations as prescribed better and not worse than Indian youth.

(iii) The effect of differentiation in favour of Indians might he to let in too many Indians and too saddenly-a result, not desirable at present.

30807 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). (Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54), and of the Government of India Act, 1870 (38 Viet, c. 3), reproduced as Appendices II and III to these questions)?—I consider it, as regards the Provincial Civil Service, superfluous, and, therefore, needlessly invidious because-

(i) The actual appointments to the scheduled posts are, and will remain, in the hands of the Governments, Imperial and Provincial, which will remain not only preponderantly British, but also, in practice, preponderantly Indian Civilian, as at in practice, preprinters very future Circuia, as an present. Except, in the case of extraordinary ments, and perhaps hardly then, will a person outside the Indian Civil Service be appointed to posts

other than listed posts.

(ii) As against no change in practice by the abolition, the abolition might enable the Provincial Civil Service in theory to feel like Napoleon's soldier, that he carries a High Court Judge's wig

in his pocket. I would therefore extend the Act to the Provincial Civil Service by the addition of the words 'and members of the Provincial Civil Service' in section 2 of 24 and 25 Vict. Cap. 54, the net result being that while ordinarily the scheduled posts are filled up as at present by the Indian Civil Service apart from the portion of the listed osts filled up by the Provincial Civil Service, the Local Government would have authority to appoint a brilliant member of the Provincial Civil Service to an additional non-listed scheduled post, and could fill up judicial posts, not listed, by Provincial Civil Service men, if a sufficient num-ber of Indian Civil Service men did not come forward for the Judicial brauch.

30808 (24). Do you consider that a minimum proportion of Ruropean subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Givil Service Cadre do you consider that "Natives of India." might, under present conditions, properly be admitted?—As I do not know of any measure of efficiency or character (British or European or Indian) and as I do not think a statutory minimum of Europeans should or could be fixed, and as I have no exact data to fix a numerical proportion, I am unable to answer the question in the form in which it is put and to arrive at a small proportion any more than I would state the number of

Europeans, Eurasians (each class with his proportion of English blood) and of Indians, necessary to do any other given work. For the general considerations bearing upon the question, I would refer to my general note. Here, I content myself with saying that in my opinion, based roughly upon the comparative work of the Indian Civil Service and the Provincial Civil Service (including the Statutory Civil Service), I think that in this Presidency the standard of judicial administration would rise in point of soundness of conclusion upon facts or law, without losing in probity, even if the proportion of the Indian Civil Service (not necessarily Europeans) and Provincial Civil Service in the Judicial branch were as I:2, that is the Judicial branch of Indian Civil Service held a third of the judicial posts. Even such a rough couclusion is difficult for me to estimate for the executive, both because of my lesser experience, and of my conclusion that Indians, whether Provincial Civil Service or Indian Civil Service, do not get a fair chance, above a District in the Executive; and that the existing basis of the present Executive Provincial Civil Service, the Deputy Collector is wrong, the right basis being the Mamlatdar or Taluka Officer. If I am pressed to hexard an opinion, in spite of all those difficulties, I should put the similar limits for the Executive as from 2:1 to 1:1, not Europeans to non-Europeans, but Indian Civil Service to non-Indian Civil Service.

30809 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54)? Do you recommend any alterations in this system, and, if so, what ?-Yes : I have no alterations to suggest beyond those in the general note and the simul-taneous examination in India.

30810 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend ?-No; the system failed then and the circumstances do not appear to have altered or new ones appeared, likely to make its re-introduc-

tion a success. But, I may express my regret that it was tried for so short a time. As it is, it dis-

credited nomination and selection and with some 30811 (29), What experience have you had of

military or other officers who have been specially recruited in India to fill Indian Civil Service posts, normal in 1001s to in that an over order ver press, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter?—I have had experience of both in Burma during the first four years of my service. But I consider it insufficient to offer my service. But I consider it instances to other an opinion now, worth expressing. I had about eighteen months' experience again in Stad of one non-military officer os Collector when I was Judge; but this again appears to me to be insufficient to generalise

30812 (31). If the system of recruiting military officers in India has been stopped, or has never 7th March 1918.

264

Mr. G. D. MADGAYKAR.

Continued.

existed in your Province, would you advise its re-introduction or introduction, as the case may re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it, be-adopted?—It should not be introduced or re-intro-

duced in the Bombay Presidency. 30813 (34). Are all the po 30813 (34), Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?-The Local Government is in the best reasons:—Ine Local Covernment is in and loss position to answer this question. I have heard firstly, complaints against my service by members of the Provincial Civil Service that the survival of the "Statutory" Civilians was made a pretext of the "Statutery" Cyrimens was made a protext for keeping them out of the listed ports to which they were entitled, as they beld, apart from the peets hold by the Statutery Cyrilians and though these did not come up to the maximum of one-sixth, and secondly, fears that the one-fourth maximum full kind down very exceedily by the Government of India, wealth similarly move a limit in theory, which would be never worked up to in practice. There appears, in short, to have been at least some difference in the view and the interpretation of the orders issued when recruiting interpretation of the drivers issued when technishing to the Statutory Civil Service was stopped and the system of listed posts for the Proviced Service announced. There has, likewise, been a grievance in the interval, I believe, of some years which elapsed between these two periods. The general feeling and change appeared to be that the Indian Civil Service had taken advantage of their position in the Local Government to keep the Frovincial Civil Service out of the posts to which they were entitled in view of the orders passed upon the recommendations of the Public Service Commission. But I am not in a position to say how far this view or this charge is correct

30814 (36), Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions ?-This is rather a question for the Local Government. The

power, I believe, has not been exercised,-why, I

30815 (37). Does the system by which most of the inferior listed posts are merged in the on the interior instead posts are herefree in the Provincial Civil Service give satisfaction (a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrange-ment possess?—I am not clear as to the meaning of this question. As far as this Pre-sidency is concerned, Appendix V, shows that the only inferior listed posts open to the Provincial Civil Service are three Assistant Judges. (a) The cefficers serving in this capacity during the last ten years, some now promoted to superior poets, are known to me and have not expressed any disastisfaction except as to their two-thirds pay. (b) The public of the Theorem 1 have the say. (b) The public, as far as I know, approve of the system, except that some practising pleaders have suggested that they should also be directly allocated. eligible.

30816 (38). Is the class of poets listed, suitable? If not, in what directions would you suggest any changes and why ?-I would increase

them to a minimum of five Heads of Districts and five District and Sessions Judgeships, with a corresponding increase in Assistant Judgeships, if corresponding increase in Assistant Jungscaups, it increasary, and a maximum of eight or nine of each. If my suggestion as to the separation of the executive and the judicial are carried out, First Class Schockinabe Judges (Appellate Power) might be made Assistant and Additional Sessions Judges. I should, however, take away from the listed posts the post of Registrar, High Court, Appellate Side, and leave this to the Chief Justice to fill up, as he chose; and also, perhaps, the post of Talukdári Settlement Officer. The post of Registrar, Co-operative Credit Societies, should be givon to the Provincial Civil Service. [Please see my answer to the Provincial Civil Service question (47).] The post of Director, Land Records, and Settlement Commissioner should be open to the Provincial Civil Service, if Government think any officer capable.

50817 (41). Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same ?-None that I know of.

30818 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system ?-A probation in England for at least a year, if not two, appears to me certainly necessary; and I recommend its continuance.

30819 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system

and, by the second of the second of the system recommended by you? - One year in any case. 30820 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, I do.

30821 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Without denying the charm and the advantages of residential Universities, such as Oxford and Cambridge—at the former of which I spent two years - and without denying the dangers and the disadvantages of non-residential Universities, especially, in large cities, such as London, the latter, even though socially and athletically less attractive, are often as well, if notbetter, suited to the serious student of economics sociology, administration, especially London. would therefore, give the student a choice of approved Universities, residential and nonresidential asat present; reserving however (uponthe recommendation of the Civil Service Commissioners) to the Secretary of State, final authority to reject at any time a caudidate, whose standard of conduct appears to him to fall below what a member of the Indian Civil Service should

30822 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—£150; the allowance awarded in my time, is hardly sufficient for all expenses; but there seems no reason why the selected candidate, during probation, should get, and India pay, more. In any case, I should suggest that selected candidates should pass an

continued.

7th Morch 1913]

Mr. G. D. MADGAVEAR.

indemnity bond agreeing to repay the amount to the Secretary of State for India, if they fail to pass the probation.

\$0823 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?-No alternative; University compulsory.

30824 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. The caprit de corps under the present system suffices, with the facilities granted for the probationers' course. Haileybury and Cooper's Hill have been abolished as needless and costly. It is not advisable to resuscitate the former.

30825 (50). If a probationer's course is con-tinued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, man gover by Lora macacay's Committee in 180s, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competi tive examination after leaving school and to those who do so after completing a University course?—I accept the principle. But if the age limit is lowered again to 17 to 19, as I trust it will not be, two years might be necessary.

30826 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?-(a) I accept the second column of Appendix VI as the proper course for a year's probation with the following alterations, which I might suggest, having for their object to interest and instruct the probationer in India and its and instruce supportant in limits and he recople and administration, to a greater extent than is possible, upon a book such as Sir William Hunter's 'The Indian Empire,' excellent as it is, which was, and I believe is, the text-book for Indian History without fatiguing him with details.

## Compulsory Subjects.

1. The principal vernacular language ... 400 2. Indian History and Geography (Rulers of India Series) ... 400

3, Indian Penal Code ... 400 4. Code of Griminal Procedure ... 200

5. The Indian Evidence Act 6. General Paper on Indian Sociology ... 200

and administration; general reading of Census Reports, Lyall's Asiatic Studies, Strachey's 'India', Risley's 'Peoples of India,' Baden Powell's 'Small Book on Land Tenures', Ilbert's 'The Government of India' with perhaps Maine's of India' with perbays Maine's Books, Dr. Woodrow Wilson's 'The State,' Ireland's 'Tropical Depen-

dencies, etc., Sir Harry Johnson's 'Books on Africa', etc.

... 600

Optional. Morks,

As at present plus-Economics ... 300

Local Government in England (Odgers, Ashley, Hobbouse and Wright) ... 300 The newly arrived Civilian within six months of his arrival, at present, is President always of Local Boards and often of Municipal Boards. A theory of Local Government in England, especially, if he has—as the British probationer almost always has and the Indian should procureauthors away a use uses a transmission protection of such bodies in England, should, I submit, be valuable; so much so, that in a two years' probationary course, if ought to be made computery rather than have optional Betany, Genlegy, Zeelegy or

even Agricultural Chemistry. 30827 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Iudian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instrucwhat or without any avenupt at colorquan instruc-tion; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts.—(i) Neces-sary, especially, the Old Basley, for the Inters Magistrate I only wish that candidates could be accommodated at the Connecls' table instead of in the spectators' gallery as was the case in my in the speciations garrier as was one case in my time—emoting the taking down of notes some-what difficult. (ii) Indian Criminal Law (elemen-tary) can and should be learnt. (iii) Even the elementary knowledge of the vernacular—I speak from my having to learn Burmese a foreign language to me—is useful on arrival in India and should be acquired. (iv) (a) I have already added it to Indian History as one and the same subject. (b) Economics might be made optional.

A year with the burden of the compulsory subjects is hardly enough to acquire more than a more smattering, if it is a fresh subject. (c) Not necessary

30328 (53). Do you consider that the pro-bationer's course of instruction can best be spent in England or in India ?-In England.

30829 (54). What is your opinion of a proposal to start at some suitable place in India a College for the training of probationers of the Indian Civil Service and possibly of other Indian services retruited in England?—Worse than uscless. A Civil Staff College is not wanted; and, I think, would do harm, unless it is desired to focus and crystallise an Anglo-Indian bareaucratic spirit of casts.

30830 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A College for 15 or 20 hardly seems feasible, having regard to the cost. Work, as now, is the best course of instruction and is good enough. My suggestions as to the difference in

enough. My suggessions as to the unterence in training upon arrival in India are made later, 30831 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1903), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because

7th March 1913.7

266

Mr. G. D. MADGAVKAR.

[continued.

of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of ardness study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India? - Climate apart, most of the difficulties of theoretical teaching in these subjects might be got over by a scheme of institution in India, but only at great and needless cost. Thus, a single college would involve teachers of all the vernacular languages congregated together. If the college were located anywhere outside the three presidency towns, British teachers even in other subjects would cost a good deal and even Indian teachers an appreciable amount. Then-and this is an objection to any college in India-the stimulus of contact with students of equal or superior calibre, in general subjects, such as, History, Economics, Law, Administration, would be wanting. Last, but not least, an appreciation and even a slight understanding of the spirit of the British institutions in a British atmosphere would be impossible. These last two considerations far outweigh in my opinion the possible advantages of a college or a scheme of institution in India. And when it is further considered that an appreciable minority of probationers come from outside the universities of London or Oxford or Cambridge and can and often do select one of these three to pass their probation, with great profit to themselves, I conclude that the disadvantages of the proposed departure outweigh entirely the advantages

30832 (67). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in Feu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—The same as the one at present for the Indian Civil Service

probatione 30838 (58). In particular, if a period of pre-bation is recommended for such officers, do you advise that it should be passed in England or in

India? - In England.

30834 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course rescribed for other natural-born subjects of His Majesty? If so, please state the special arrange-ments that you recommend?—No differentiation is,

in my opinion, necessary.

30835 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, he introduced?-The present arrangements appear to me to be capable of improvement in some ways, which I proceed to detail. The present arrangements are newally as follows: Atrival about November. Becany as commercial towns: All the capital towns: of the Province under the guidance of a senior of the Frevince their sup guidance of a second officer, a High Court Judge, or a Commissioner, then to the Headquarters of the District as Supernumerary Assistant Collector, for about six months, out of which six weeks are spent at Headquarters at the Treasury, the rest in camp touring ant, two with a Deputy.

about partly with the Collector, partly with an Assistant Collector and preparing for the Lower Standard Departmental Examination, especially the vernacular, and then, charge of a Subdivision about August, all the Subdivisions in this Pre-sidency, unlike Burma, having their Headquarters at the District Headquarters where the rains are spent.

The disadvantages of this arrangement are: -(i) Too sudden a transition from an English city, such as London, to a narrow District Headquarters with its stationary and narrow life.

British and Indiau.

(ii) Failure of acquaintance beyond a four or five days' tourist acquaintance with the Indian cities and life, where British civilization and work have made their deepest mark, viz., the and progressive and where Britens and Indian see o-operate most, officially and unofficially.

(iii) Too early an independent charge involving authority over experienced members of the Provincial Civil Service and consequent mistakes. Incidentally, I might be pardoned for doubting if the importance of the choice of Collectors, under whom supernumeraries are placed, is sufficiently realised and if the choice is not guided rather by the large size or the good climate of the first station. First impressions are so strong that Government should, I think, take great care that the Collector, who is the first guide and teacher, can be relied upon to be really a friend and a wise and a sound friend of experience and liberal mind and devotion to duty, conditions, necessary not less for the people than for the service, and happily atteinable, I think, as Government have usually a very fairly correct idea of the personal limitations

of the British officers.

Briefly, from newest England to oldest India, with herely a glimpse of New India; or if the phrase is objected to, of a resuscitating India, gives the new arrival an impression not easily effaced and one which usually remains and colours the rest of his service. In the district, he is never brought into contact with Indians upon really social terms in the sense that it is now-a-days open to him in places, such as the Orient Club in Bombay or the Calcutta Club in Calcutta. As to whether the Indian life in these cities is better or worse than the old life, or its desirableness, its superficiality, each officer may form his own opinion. But it is advisable, I think, that he should have knowledge of these firees, and be brought into actual contact with them. He will also be suitably brought into contact with non-official Europeans and the domiciled community.

My positive suggestions are as follows:

(i) A stay in the capital towns for two months under the general guidance of a Judge, a Member of the Beard of the Bereaus, a Commissioner, a Galeeber, with (a) study of languages, (a) general study of the Soventiant, the High Court and the Accountant-General's office attendance, at meetings of the Envisities. office, attendance at meetings of the Legislative Councilis, Municipal Corporations and Improvement Trusts.

(ii) To the Headquarters of a District chosen upon a view of the personal qualifications of a Collector to act as tutor. One month on tour with the Collector, two months with an AssistMr. G. D. MADGAVKAR.

continued.

(iii) In June, six weeks actual charge of the Tressury and Srd Class Magisterial powers and to be actually working in the office of the Headquarten Manlatidf. He should also be directed to watch the hearings of two or three appeals Crill and Criminal and two or three Secsions Crill and Criminal and two or three Secsions trials in the Senious Court; and also the work in the Crill Sobordinate Court. He should have passed his Higher Departmental by now or a year after his arrival, and should also have passed in surveying and seen the operations of the Agricultural Departments.

tions of the Agricultural Department. (iv) And this is the most numorate departure in my proposal; he should be placed nine mouths or a year in sole change of a non-Headquarters talluka, if possible, away from the Isalway station. From nectual experience of the system in Burna, of Subdivisional Headquarters away from the District Headquarters, so that the Assistant Collector or Subdivisional Officer has to remain no slitude, as far as possible, away from gymkhanos, etc., I am of opinion that this is a mone batter system and the only proper grounding for a British officer for a real knowledge of the people. Life on tour even for severe morths in a year, cannot compare with it. It has, I admit, it's dangers. It is a severe test of the nerves, and—to be plain—the sexual moutily of the unmarried officer; if the officer is marriel, it is a desirable, on the whole, as from many points of view that junior Assistant Collectors should not marry, at least for four or free years after their arrival, if not, till their first furlough, that is, shoult eight years after arrival.

(v) After a year's charge of a tallata as a Second-Class Magistrate, the usual Subdivisional charge with First-Class Magisterial powers as at present which in Bombay presents no difficulties as the officer always gets five months at the District Headquarters.

I have pointed relevant and the present system, and the changes advisable, out of which II hay special stress upon () and (iv). The former, I have not seen advocately, before now, nor has it, I believe, been tried. The latter is, more or less, the system in Emma, except that the junior is esidom pload in change of a faluka, but usually of a suddivision. I think the two propensis aband remely the past weeknesses at both ends, by firing both in the capital city and in the willage, as the Taluka Headquarter usually 1.

20836 (cl). Is the existing system of Departmental Examinations suitable, and, if not, what changed so or commend?—It is suitable; but the standard of vernacular language is pitched too low and is not sufficiently modern. If my suggestion is answer (51) as to the additional sixth subject is not accepted, that subject, I strongly rocommend, should be complishy for the Higher

Departmental.

Son 7 (63), Do you consider that there has boom 7 (63). To you consider that there has boom any deterioration in the knowledge of the Indian Hauguages possessed by members of the Indian Criti Service 4 Has on what are the causes? Are you astisfied that European members of the Indian Criti Service attain to an adequate and, if one, how could this best be remedied? "Les do a cutain extent; and, again, to compare, not different periods, but different provinces, the standard of venenduler was higher in Barant from

1892-96 than I fod it in Bombay from 1897 till now. The usual reandy suggested it money rewards or their increase, if hardly a remedy, really an indepensant, which, considering what the Civilian's ideal of his duties should by, appears to me to be a humilisting contests in of weakness and wast of realisation of duties and an admission of merowary motives. The causes appear to be—
(i) The Sues Canal and the fishion of

(i) The Suez Canal and the rashien of spending every leave long and short in Europe. (ii) The English woman's increasing presence

(n) And Engine woman's increasing presence and influence and the increase in numbers of British officers rendering the Civilian socially more independent of Indian society.

(iii) The increase of English-knowing and English-understanding Indian officers both subordinate and ministerial and Pleaders rendering the vernacular less indispensable.

(iv) The completed solution of the fundamental administrative problems of revenue and tantin rendering most it de duties of the Collectors and Assistant Collectors largely mechanical. The Land Revenue Cods, the Statistement Rules, the Annual Revenue Demund (Jamátandi), etc., are all laid down and practically first. The actual remaining work is done by the village and thinks afficers. There remains raruly little to do, and that little does not need the vernacular, Similarly, as to the criminal work, there are always one or more English-knowing checks in the Assistant Collector's office, who can ast an interpreter, and in the Collector's office often an L.L.B. and always an English-knowing Depty Children.

(7) Similarly, in the judicial, the codified law and the increase and excellence of translations of the text-books on Hindu and Muhammalan law and the increase of English-knowing ministerial officers including B.A., LL.B.

omcers monding D.A., DD

(vi) Other debated causes, into which I need not go further here, are the increase of racial distance, and the tendency in the service to look upon life in Iudia, as a necessary, painful exile rather than one of work for people.

(vii) The number of vernaculars in some provinces such as Bombay and Madrus where a man has to pass usually in two, often in three, and occasionally, in four vernacular languages,

. The adequacy of the proficioncy depends upon the standard see before themselves by officers. At present I should roughly pad down the linguistic standard of the vernacular of English cliers in this Presidency to be a good deal below the standard of English of the ordinary Manulatófar or Head Kárkun and to be about that of the clerk who has studied English up to the 4th or the 5th standard.

If the main causes set forth are correct, no remedy is open to Government, the causes being beyond them. The tendacey will probably increase, not decrease. I hardly consider the high pre-ficiency or the degree of merit with their money rewards are appreciable means to increase the average standard. The only theoretical reneigh for Government is with respect to the last cause, riz, a wholesale relitationation of Provinces according to languages or keeping an officer within one or two linguistic divisions. Thus, the last repartition of Bengal will (apart from the Assan cades) also never the Bengal meabors from a tadpy of Octyt or Hinds and causale them to become

of India is too large a question and one hardly perhaps within the scope of the Commission.

SOESS (64). Please give your views as to what steps (if any) are necessary to improve the profi-cioney in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Par, reading in barristers chambers or other), and what conditions do you propose ?-I hardly think the usual steps proposed, vis., small bounties in the shape of study leave or pecuniary rewards for passing in law in India; or the Bar in England, will be successful in raising the average proficiency of the Judicial branch.

Judicial work in India does not appeal to the Judicial work in India does not appeal to the majority of Indiau Civilians. The indoor drudgery of the work, its monotony, too often its petty pecuniary nature, the number and complexity of the laws, the difficulty to all but, especially, to the Briton of Hindu and (to a lesser extent) Muhammadan Law, the great responsibility in serious cases under the existing conditions of people and police, the impossibility of de'egating any portion of it to subordinates, as a Collector can and does, finally, the absence of the sense of absolute power-all features conspicuously absent in executive workwill always incline the members especially the British members of the Indian Civil Service to prefer Executive to Judicial work.

To these already formidable handicaps, others have been added in this Presidency as follows :-

(i) Extension of ec nomic legislation with large owers of executive rules with an assumption that the executive officer's tours bring him into touch with the people and make the executive better, instruments of enforcing such rules than the

(ii) Impatience of the right of the subject to redress against the executive in Civil Courts and exclusion of their jurisdiction such as the Bombay Revenue Jurisdiction Act of 1876, the Vatan Act The Courts are a necessary evil, whose and so on, ower should be curtailed, the executive the sole exelicient administrative machinery whose power should be extended. One such Burmese Act the Privy Council have lately declared ultra vires: The Secretary of State for India v. J. Moment (15 Bom. L. R. 27)

(iii) Assumptions in favour of the executive. The Collector, being a specialist in nothing, must be an expert in everything ; the Judge, because he ought to be, and perhaps is not, an expert in law; cannot know anything else. The Collector is

omniscient and should be omnipotent.

(iv) The feeling embedied in the cry 'Vakilkaraj

(v) Persistent dumping of inefficient members from the Executive to the Judicial.

-(vi) Slow and steady transfer of posts of prestage and of higher posts from the Judiciary to the Executive. Formerly all the agents to the Governor were Judges: now the District Judge, Poons, is alone left as a relic, the others being all Collectors. Except for the present incumbent, the Secretary to Government, Judicial Department, bestern to Government, cancern Department, hes been, except for a short acting vacancy, filled up by (at present the Honourable Justice) Mr. Heaton, always of late taken up from the Executive branch. Finally, the Judicial Indian Civil Servants have lost and the Executive have gained the highest prize of the Judicial branch, the Executive membership of Council, leaving them practically defenceless against the all-powerful Executive.

The total result has been a general lowering in ublic eyes of the Judiciary and a conclusion in the Judicial branch that its appropriate motto should be ' Lasciate ogni speronza roi ch'entrate'; As a late illustration of the truth of these remarks, I might cite the instance of the inquiry into the working of the Dekkhan Agriculturists' Relief Act, one, which every District Judge administers almost daily, while I doubt, if most Collectors have read it. In any case, their knowledge of it is usually. limited to signing orders put up by their vernacular office, postponing or ordering sales of lands to be carried out. But apparently, not a single District Judge was fit to carry on this inquiry, which was entrusted to a Collector; the only concession as to the possibility of a judge knowing something of the working of the Act was that the Collector was brigaded with an experienced retired Subordinate Judge.

I think I am voicing the feeling of the Judicial members of the Indian Civil Service, British and Indian, when I say that, in view of all this and as things stand at present, the District Judge's work has become so thankless that it would perhaps he best if Judicial functions were taken newsy from the Indian Civil Service and no further members admitted. The question whether the Judicial functions should be delegated to the Executive or to the Provincial Civil Service, being left to be settled by the former. Actually, most o the District Judges desire to discharge themselves at the earliest opportunity as soon as they have qualified for their pension. That would solve the qualified for their pension. That would solve the question by ending it. If, however, it is considered that the public interests render it inadvisable that the Indian Civil Service should be confined. to Executive or divorced from the Judicial, then it is no use paltering with the question by a paltry bounty or study-leave which will have little effect in re-habilitating a branch so persistently brought down. That must be a work of years and will only be possible by
(i) restoring the lost Membership of Council

to the Judicial Department,

(ii) transferring the Judicial Secretaryship to the Judicial Department,

(iii) levelling-up the pay of the District Judges at least to that in other Provinces, if not as follows :-

1 Judicial Commissioner, Rs. 3,500, Judicial Commissioner :4-1 Additional

Rs. 3,333-5-4, 2 District and Sessions Judges, Rs. 3,000 Rs. 2,500, Dò. Do Rs. 2,250. Rs. 2,000,  $D_{0i}$ 

4 Joint Judges, grade pay + Rs. 300 10 Assistant Judges with Appellate Powers, grade pay + Rs. 200, Assistant Judge, under training, grade pay

+ Rs. 100, alterations being made, if necessary, subject to financial conditions.

(iv) The question of the conflict of jurisdiction between Civil Courts and so-called Revenue Courts

is too large for discussion here, 30639 (65). Do 'you recommend any special course of study in law in India for officers selected

continued.

for the Judicial branch?—The would-be Judge in the Indias Civil Service to be efficient must have a natural taste for law. If he has it, he will study without recommendation; if he does not possess it, recommendation will do no good and enforced study very little.

30840 (66), Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branche? If so, please give details?—Six months as Subordinate Judge, away from Headquarters as in the case of the Executive.

30841 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

30842 (68), Is any differentiation desirable in the system of training after appointment in India between members of the Indian Givil Service who are 'Natives of India' and other natural-box abjects of His Majesty? If so, please state your proposals?—No differentiation is desirable.

2083: 69). If yea have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of resultiment in England, please state what system of training you recommend for such officers?—I have not recommended any such scheme, which could only be sumitted as a very indifferent alternative to simultaneous examinations. But in any case, the system of training should be the same.

30844 (70). Is any differentiation necessary in regard to the production and training of members of the Indian CVII Service who are "Natives of India" as between persons of numixed Indian descent, of number Burupean and Indian descent, and of unmixed European descent? If so, please state your proposals "—No differentiation appears to be necessary."

30845 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—None.

30846 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per measure a scertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?-The system appears to be acceptable and eight years suitable as a minimum preliminary period before charge of a District, Executive or penton necesse canning of a Paratro, processor of the age were lowered, beyond, presumably, the slightly smaller recruitment necessary for the

larger percentage of men who would remain after the minimum pensionable period.

30847 (78). It is also part of the existing system that officers of over two but made existing parts complied service about full with practical permanency in the ordinary course of promotion changes of minor responsibility, called technically "inferior posts," and should be drawing par at rates above that of the lowest grade, but not exceeding its, 1,000 per menerem. Do you accept this so a suitable arrangement FI into, what alternation would you suggest, and for what reasons?—The arrangements is suitable

30848 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?-There appear to be blocks, now and again, projudicially affecting officers between the 5th and the 14th (or on the assumption of 2 years' furlough after 8 years) between the 10th and the 14th years of their service, which have to be dealt with, as they have been in the last year's Provincial Budget of this Presidency, by a system of time promotion, which appears to be the only solution, once this principle is admitted that an officer is entitled not only to look forward to and take his chance of a District after 10 years but that he is entitled to be reimbursed if he is disappointed. But, the application, at least, should be cautious and strictly confined to officers of over 10 years' service who are not acting in District charges, though they are considered fit for a District

The elections for higher appointments beyond a Distris, including those for the Provincial and Imperial Secretarists, are a source of heartharming in the Service, as selections or nominitions are probably always bound to a certain extent to be. The District effore fresh that the Secretariat always tought to which the authority of Sir Frederic Laly may be quoted; and it is suggested that Secretariat appointments should not criteral over three years, just as membership of Council may not over five.

The particular grievances of the Judicial Department in this Presidency, as I have heard them, are as follows. (i) They have bot the highest post, the membership of the Escentive Conceil which they always held until 1897, whon an Escentive offices was given the post, an example followed since, with the exception of Mr. Palton's Conscillorship 1902, (ii) Breeger for the present incumbent of the Judicial Secretaryship, the latter has also been absorbed by the Excentive, (iii) Treating the High Court Judgeships in Bombay on Re. 4,000 as the equivalent of Commissionsthips in the Escentive, the number of higher posts open to and held by the Excentive, (iv) Considering the greater mental strain and complexity of Judicial work the very greatly smaller possible assistance in the shape of duffic and representative of Judgeship of the Standton Francisco (18 the Standton 18 than the monotony and indoor nature of the work and the smaller number of Judgeship so compared to the Conscillorative to Escentive hiere, from the Conscillorative to District Judgeship so come.

Please see my answer to

pletely got the better of the Judicial, that small inducement remains for an Assistant Collector to

choose the Judicial.

question (62). The reduction in rack, temporary or permanent of officers is a power actually exercised by Local Governments, whenever they think necessary. Governments, whenever and retirement is, I The power of their compulsory retirement is, I to think, stillvested in the Secretary of State. delagation to Imperial or Provincial Governments, would, I think, especially the latter, affect the morals of the service for the worse. But, considering the undoubted tendency to centralisation-pass Sir Frederic Lely and the Decentralisation Commis-sion—to make Civilians liable to dismissal by the Member of Council or the provincial Executive Government would affect disastrously the independence of the Service. I might be permitted to invite attention to the evidence of the late Mr. H. M. Birdwood, C.S.I. (who retired as Judicial Member of the Executive Council in Bombay) before the last Public Service Commission printed in Volume IV, Section III, Sub-section B, page 23, column. 2. lines 21 et passies of the Proceedings:
"It has been the chief glory of the Civil Service
that its excentive officers could always be relied upon for an honest expression of opinion, however distasteful, and for prompt and decisive action whenever necessary, and its Judicial officers for independence. That has been so, not only because independence. This has used so, not only occurs of the excellent training to which Civilians have been subjected from their estricist years, but also because of the protection afforded them by their covenants." Whatever the difference as to the further conclusion of Mr. Birdweed, against the advisability of simultaneous examinations, few persons, in the service or outside, will challenge the correctness of these remarks.

To the best of my knowledge there is already an impression in the service that honest independent expression is not the way to preferment by selec-tion and that this latter is better attained by perfect agreement with views or theories from above. Similarly, there is a feeling in the Judicial that not independence but the benefit of the doubt in Civil cases to the Executive, in Criminal cases to the Crown, is the real read to preferment. own impression, whatever it is worth, is that along with causes such as Reilway and Telegraph which render centralisation possible, there has been a render centralisation possible, there has been a decided failing off in point of independence in the service. And it, besides the power of stationing in out-of-the-way or unhealthy Districts and of selection, that is, preferment above a district and the power of withholding premention even up to a district which the Local Generalization allocations which the Local Generalization allocations are the power of withholding premention even up to a district which the Local Generalization allocations are the power of which the Local Generalization allocations are the contractions of the power of the pow possess, it obtains in addition the power of com-pulsory retirement of what it considers inefficient officers the covenants upon which Mr. Birdwood relies, will be voidable as the lawyer would say at the option of the Local Government and will strike at the root of the independence of the service.

As regards the Native Indian Members of the

As regards the interest include a few remarks, even at the risk of misconstruction, premising that I have myself never been superseded so far and that I hope to retire before any question of selection as nope to restre beame any questions as securious as far as I am personally concerned is likely to arise. During the forty years that have elapsed since Native Indians actually entered the service, only Mary Louising accountry entered too service, our one of them, Sir K. G. Gupta, has been selected to a post above district, and another, the late Mr. R. C. Dutt, selected even to not as Commissioner,

neither has any Indian member of the service been selected to sit in the High Court or even as Judicial Commissioner, Mr. B. L. Gupta being only allowed to officiate for a few months, and I see, Mr. Mullick, J. C. S., bas just been gazetted to act in the Calcutta High Court. Similarly, with the exception of Mr. Gupta and one short acting Under Secretaryship of Finance, no Indian has been selected for the Secretariat. In fact, instances of supersession of Indians by selection, are so much the rule, that it is not an untersonable conclusion, based upon the experience of so many years, that Indians are not considered fit for promotion above a district, by selection, as the Local Governments understand the term. Therefore, even in the Judicial, to which most Indians find their way, and in which, if I rightly understand, their racial weaknesses prejudice the work and its British character least, the same Indians, whose initial mental acquirement as shown by their passing the competitive test, should not fall below the attainments of the Subordinate Judges, whose work has met with the approbation of juriets such as Lord Selborne and bodies such as the Privy Council -- these same Indians degenerate and their British confrères improve to such an extent in the opinion of the Local Governments, as to render the supersession by selection of the former a painful necessity. To this conclusion, personally I bow, with the respect it demands. But, if to this certainty of never getting beyond a district and the present fear of never attaining even this if any shortcoming in work occurs while they are Assistants, is to be added the fear of compulsory retirement at the will of the Local Government upon a vague conclusion of antitness, then this practical power of nullification of their covenants, for the Indian members admost the only protection, will be an additional terror, which will operate with double force against them.

In the very interests of the independence of the ervice, and of its members, British and Indian I deprecate this specious measure of so-called decentralisation. The actual blow at the independence of the service will be far greater and more permanent than the weeding out of really unfit members, whose number has, I blink, been always

The only positive suggestions I have to offer as to this selection and cause of mefficiency are embodied in my answer to question (90).

30849 (88). To what extent are the functions of the Officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what is any change destinate and, it so, in what directions I—I this Presidency they are differentiated only after an Assistant Collector has found his way to the Judicial branch by being appetred Assistant Judge, assully after about for years service, after which, except in the very rare cases of second to the Escentive, the set and afterwards becomes District Judge. The Assistant Collector has set and afterwards becomes District Judge. The Assistant Collector here, after a short experience as 3rd and 2nd Class Magistrate, becomes a lat Class Magistrate and so remains until he sets and becomes Collector when he combines the functions of a District Magistrate. When selected for the Secretariat or a Commissionership and above, he has no Magisterial powers and becomes a purely executive officer although especially, as Commissioner, his control over the police largely remains and in some

continued.

respects, increases, as compared to that exercised by the Collector. The Assistant Collector, on the other hand, has no control over the police, as such, in spite of his Magisterial powers any more

than the Deputy Collector has.

The strong point of the system appears to me to be the contract over the police of the Collester and the Commissioner under the District Police Annual, the and Ruise sembolied in the Police Munual, at a weak point to be, that, in vertice of this control, the Collector, who, and not the District Superintendent, is the head of the District Police, is not only responsible for leaving down crimes and criminals tot is also in in Mangasterial capacity, capable of (a) trying them as Pirst Class Magistrate, (c) and as the Appellate Court from the decisions of 2nd and 3rd Class Magistrates (c) transferring cases under action 192 of the Criminal Procedure Code from any Magistrate and the Commission of the Commissio

The reak point may be summarized by saying that roughly the Collector in in sense at once Prosecutor as Head of the police and also Criminal Suige, and the difficulty of the position is enhanced in cases such as Revenue, Excess, and Salt, or oven Forces, in which he has, in his revenue capacity, a direct or does interest and responsibility, and perhaps, also in case where caste or political feding comes in. The present lengthy purpatible trials are inconvenient to everybody concerned, but are unavoidable whethout separation.

peripatent trans are inconvenient to everyousy concerned, but are unavoidable without separation. As a matter of theory, it must, I think, be conceded that this dual position of Criminal Judge and officer responsible for, if not interested in, a prosecution is not defensible, even when the prosecution takes place, not before himself, but a subordinate executive officer, such as Assistant or Deputy Collector or Mamlatdar. Indeed the position of the latter would be, in some respects, even more awkward. I doubt, on the other hand, if any real prestige would be lest by a separation of functions, always provided that the less would be of judicial functions only and not of his present control over the police, especially when weighed against the indubitable gain in public confidence by the avoidance of this double invidious present combination. And so long as this control over the police is retained, there is no real weakening of the Executive. On the contrary, the present possible and occasional conflicts between the Executive and the Judiciary would be avoided. Every judicial officer of experience realises in his own judicial capacity, the importance under existing conditions of a strong, and the dangers of a weak executive. But, when the District Magistrate lapses into errors of Criminal law or procedure and into executive non-judicial acts, it is impossible for the Sessions Court when logally appealed to not to interfere or submit recommendations for interference by the High Court.

Such, briefly, are the reasons, which lead me to the conclusion that Government and the administration would be strengthened without any weakening of the Executive in power and with increase in prestige by a complete sepamtion of the Judicial) and Executive functions in this

Presidency and in this conclusion I think I shall be supported by most executive officers of

The main difficulty of this separation appears to be financial. That, I think, could be largely, if not entirely, such by seing the existing Girli joileids mochings as I detail late on. Neither bid in the country of the country such as I consider in a poor country such as I I consider in a poor country such as I I claim.

I should be inclined to seek a solution rather in the following directions, beginning from the bottom. In districts, where the Magisterial work of the taluka officers is heavy, the separation should set free a sufficient portion of their time to enlarge the taluka boundaries, without prejudice to their revenue work, in the existing and constantly improving facilities of communication, roads, or rail and bicycles and tongas. A reduction of two or three talukas in large districts and of one or two in small districts with a corresponding reduction of Mamlatdars will set free fauds for two or three additional Subordinate Judges. The work of the existing Subordinate Judges is un-equally distributed; and with these additions the Subordinate Judges should be able to dispose of most of the important work, all First Class and many Second Class cases, especially when invested with summary powers, after some experience. In point of probity, the work of the Suberdinate Judges is exceedingly good and in famino periods their criminal work has also stood the test.

In addition, a good deal of the 2nd Class and all the 3rd Class work would be done by Honorary Magistantes. The chances of corruption are, in the latter case, minimised and I think, in most falluka towns here, it would be possible to constitute fairly satisfactory Benches.

This would, I think, be a practicable means of relieving the Minhaldris or thinks officers including their Head Karkdan, usually 3rd Class Magistrates of their Coincil Judical work, without prejudice to the administration of justice or expense to the tax-payer. As for Sab divisional officers many of their cases are those which are committed to Sessions; important on account of their seriousness but in which especially with the present system of experienced police prosecutors, the Magistrate, who commists the case to the Sessions Court, has usually little work beyond recording the evidence, sufficient to commit, the real trial being as Sessions. This work could as well be dose by Benches of Houngary Magistrates who could be empowered to commit. The other original ways of Sub-divisional Magistrates would easily be managed by the Subordinate Judges.

The stationary Magastrate who does most oriminal work is usually the Deputy Collector in charge of the treasury, usually called the Hazár Deputy Collector. Owing to the existence of the Municipalities at the District Head-quarters, he has little executive work beyond that connected 272

with income-tax, the rest of his time being taken up with accounts. But again, in the Head-quarters town, Benches of Honorary Magistrates and even Honcrary Magistrates of the 2nd Class are usually available; and, if not, as an extreme are usually available? and, it not, he are teacher case and where there would not be enough work for a stipendiary City Magistrate, he might be allowed, though it would be an anomaly, (though I think it would be better to appoint an additional

Joint Subordinate Judge), to work as at present.
As to the District Magistrate, who seldom tries original cases himself, the appellate power from 2nd and 3rd Class Magistrates could be given to the Assistant Judge or the First Class Subordinate Judge, A. P. The power of transfer of cases from one Magistrate to another with the power of transferring important 2nd Class and 3rd Class appeals to his own Court being given to the District and Sessions Judge, who has already power of revision and order to direct re-inquiry coequal with those of the District Magistrate. Purely as a precautionary measure similar to that empowering the Commissioner of Police, Bombay, to recruise the powers of a First Class Magistrate, I should, I think, leave the District Magistrate and Sub-divisional Magistrates and perhaps Mantalfars their powers to take security under Chapter VIII, Criminal Procedure Code, to deal with sudden breaches of the peace, babitual offenders, sedition, etc.

These suggestions I fully expect should strongthen the Criminal without weakening the Revenue or the general Executive Administration. They could be tried experimentally in one separate linguistic District of each Province, for choice, under the supervision of Indian Sessions Judges, who I think, realise their importance more than British Sessions Judges. And they would leave the District Magistrate's power of control over the police unaffected equally with his present capacity to represent the Crown in appeals to the High Court though the Legal Remembrancer from orders of Sessions and other Criminal Courts. The Criminal Procedure Code is now under amendment; and it will be easy to introduce the necessary changes.

The more general aspects of the question are dealt with in my general note to which and to answer (18) of the Provincial Civil Service question I would refer.

20850 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—The system of confidential reports should be assimilated to that, which now prevails, I understand, in the Army. An officer, whose work is not satisfactory should first be warned in writing

as not sansaneously stools a risk not warmed in writing confidentially by his immediate superior. If his work does not improve within six months, as confidential report may be made to the Germanian confidential report may be made to the Germanian confidential appropriate part of right, to the become reported against, to enable him to explain, if he can reported against, to enable him to explain, if in the case, and the same principle should be followed: ort. At present, a report.

At present, and proposed surveys condidential without his know, a close prospects may be highful active, such as a close wing what his defects are. In a re-emitted to she possessed the oldern surveys of the colleges from the colleges of the colleges from the colleges of the colleges of the colleges of the colleges of the colleges of the transfer of the colleges of the transfer of the colleges of the transfer of the colleges of One branch to the other lefterson may be transferred from reason and being lefterson may be transferred from the without knowing the exact to guess it. 30851 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—I believe, correct.

30852 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Please see the answer to question (64). The Judicial branch is at a hopeless disadvantage whether as compared to the Executive, in this Province or to the Judicial in other Provinces. It appears to have lost the membership of the Executhe please of the Secretary, Judicial Department, of the post of the Secretary, Judicial Department, belongs to that Department) the post has also been usually filled from the Executive. The Legal Remembrancership has been dignified lately with the name of Secretary to Government, Legal Department, and is an onerous post. But, the pay attached to it is Rs. 2,500, involving moves to Bombay, Poona and Mahableshwar, so that the inducement to an officer who is permanent 3rd grade Judge and acting 2nd grade Judge on Rs. 2,265 is little or uil. Besides, the inequalities apparent from the statement CC, the political posts are always filled up also from the Executive. Thus, at present, one officer, Mr. Sladen, is Agent to the Governor in Káthiawar on Re. 3,000, though he has never previously served in the Political Department. Similarly another, Mr. L. Robertson also never before in the Political Department is Administrator, Junagad, on the same pay (Rs. 3,000) though his service dates from November 1893 while the senior Judge, 1st grade, on Rs. 2,500 dates from 1887. Again, the office of Inspector-General of Police has been held before by an Executive but never by a Judicial member of the Service.

The conclusion is that the number of executive district charges is greater than of the Judicial: and that apart from purely Judicial posts, such as the High Court Judgeships (in which the Chief Justice has a say) and Judicial Commissionerships in Sind, the Executive as being specialists in none are considered to be experts in all branches of the administration political, police, municipal and even educational as was lately the case in Bengal (Mr. Earle), and has happened here many years ago (Mr. Earth), and has happened here many years ago (Mr. Lee-Warner), and even for the Judicial Secretary-ship and Membership of Council, though he may nerer have done any Judicial work spart from a few years as Magistrate. The Judge, having taken to law, is fit for nothing not purely legal, not even the Secretariat or the Council.

The only recommendation, I can suggest, is that the posts of Member of Council and the Judicial Secretary should be reserved for the Indicial Secretary should be reserved for the Janobas Service as without that the Judicial will never regain their due place but will always be oversha-dowed, and the Local Government be to all intents and purposes, Executive but always non-judicial and that the scale of pay be raised here as in Bengal and Madras. These recommendations are made upon the assumption that the present system of recruitment, &c., of the Indian Civil Service is substantially maintained. 30853 (98). If any dissatisfaction is felt, does

it relate to the pay or grading of the higher or lower posts or to both?—As far as the Judicial is lower posts of to both. The Assistant Judge loses his permanent travelling and tentage allowance, which though not supposed to be, is actually a source of Mr. G. D. Madgavkab.

profit. Efficient years do not suffice to obtain a premanent District Judgeship, ..., Mr. C. V. Vernon, No. 71 in the list. Eleven, years do not suffice to obtain an acting District Judgeship, ..., 6, No. 101 on the list. Threnty years do not suffice to rise to the 2nd grand, nayed (No. 44), I am not all to compare this with other Provinces; but the Excoutive in this Province fare somewhat lotter for the lower as the corresponding numbers to the Executive special province fare somewhat botter for the lower as the corresponding numbers to the and far better for the pick of posts: [vide my answers to questions (65) and (95)].

30354 (94). Do you consider it desirable that there should be uniformly of payment for similar kinds of work in all the provinces, and does any disstatisation on this score exists in your province, and it so, what I—Sume work, same pay, at least in the same Service is a rule few will dispute. The Banhay Judicial, as Appendix, the province is are rightly disstatisfied, when they compare their put with those of other Provinces, such as Madras

and Bengal. 80855 (95). Do you consider that the exchang compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants ?-It should be abolished unconditionally once for all, in the case of all officers. No member joining has troubled to inquire about it or joins upon its expectations; on the contrary, he is much more familiar with the falling Rupee while he has probably never heard of exchange compensation. Government will get the same servants, compensations or no compensations, and the salary need not be revised, especially, as the persons now joining know the falling Rupes and enter the Service with no expectation of its rising.

rising.
So much from the point of view of India, which will naturally be the main point of view of Government as an employer. From the point of view of the India methers of the Service, it is also a differential bounty to the British members sought to be justified by the fact that these latter remit to Rughand.

The fourther ground that Indian members of the Indian Civil Service do not remit, and, therefore, should not get it, I would observe that it appears desirable on principle for the employer to inquire rather how his employed does his work than to trouble about the manner in which his employed spends the tay, and then to divide the employed by means of a colour line, and give a bounty to the one side.

It would be difficult, without extering into personalities, to raise the general question of private expension to the present the property of the private continues of the Service, But, that the Indian means and the Service, But, that that invariable to some standard of living as the forener. They with their ours countrymen as with Englishman and "the station"; and they are usually saled to and do contribute much more intrely to lead deserving charities. There is really not much more room for saving by Indians, I am sorry to say, than by the British members of the Service, and the former have little loops of selection above a district.

30856 (96). It abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grapt of a

similar increase of salary to those members of the service who now draw no exchange compensation allowance fr.—I am in favour of uncanditional abolition without permanent increase of salaries; and under the artisting financial conditions of India, and in view of the opinion, not only non-official, but among the other lamperial services that the Service uses its power for its own pecuniary benefit. It trust that the Service will not ask for the commutation of the compensation into a permanent increase and a bundon upon the country. It were these, such a permanon, increase and

It nevertheless, such a permanent increase of salary is given to the British members, it would be salary is given to the British members, it would be difficult without perpetuating the colour line, to confine it to them. On the desirability or otherwise of this perpetuation by Government, I offer no continue.

no opinion. 30857 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject ?-The system works well in the case of acting appointments for officers proceeding on long leave, as the rule of acting by seniority obtains, In the case of acting appointments for officers proceeding on short leave, usually three months, or occasionally less, the rule in this Presidency is to appoint the nearest man, usually the man on the spot and not to transfer for so short a period the senior man, entitled to act, as used to be done in Burma. Short transfers, involving joining time to and from distances such as Karwar to Ahmedabad (if not to Sukkur) would, undoubtedly, cause the administration inconvenience.

case the administration inconvenience.

The Bombuy system, therefore, appears to me upon public grounds tetter than the Burma system, though it, in administration, involves landship on the man entitled to act by sewerity. The only suggestion I could offer, though it is not in all respect satisfactory in each case, is that the system of personal pay, should got to the serior man though the entiting work is done by the mearies man. It is an unsatisfactory suggestion as the man who does the work does not get the pay. Bet all easil and done, one man only car get this cating allowance; and I think the junior man would not mind the increased power even with the responsibility and without the pay or would mind it less than the senior man feels, perhaps needs, the abilitional pay. The time-real suggested in question (99) might reader this suggestion less accessary.

augustation tess accessed as a sparse of officiating grade promotions, where there is no change of duties, actually worsted. I has beystem convenient in the interests both of the Government and of the officers of the Service? Have you any recommend times to make for its alterations i—The present system appears to be convenient to fail. The only question in this Province, as to which doubt crists, is no to the two First Grade Jadzeshins on IR. 5260 excluding the Legal Remainbraneseshin. There was an impression in the service that these two was an impression in the service that these two west to be filled up by selection; and one Indian officer, now related (Jar. Kharcajod) was expressly informad, I understand, to that effect and supersedul when his true came for the First Grade, though he hid acted as a High Court Jadge, on the ground that Government did in tensible time for a permanent High Court Judgeship and crall not, therefore, protects kim to the First Grade.

[continued.

Since then, however, promotions to this grade, both permanent and acting, both of Indian and it British members, have been made by seniority; and too, unparently, by selection. It might be well to set at rest the could not this point, and as to Judician commissionerships in Sind, as Government have set at rest the doubt on to Commissionerships and to High Court Judgeships, which are understood to High Court Judgeships, which are understood.

to he made by selection.

Sole56 (29). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of scalary? If you are in favour of a time-scale, should fit be restricted to the lower grades of the service or not 7—I am in fravour of a time-scale for Assistant Collectors and Assistant Jodges over the years' folds service, when they are not acting, though considered fis, in charge of districts. I would suggest Rs. 1,100 as a syntable scalary, as it used to be for the Assistant Judges with Pull Powers, Broach, Bijapra and the Jonné Judges, Plana, Ahmelshad and Shilarqur.

30860 (100). As an atternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

30801 (103). If you are in favour of a time-scale of may, how would you sourse that the recruitment of junior offices is restricted to the number likely to be prounted in a reasonable time to post of independent responsibility, and do you or do you not consider it desirable that all members of the Indian CVI Service should have the prospect of rising to seek posts within a faxed time?—My suggestion in the answers to questions (97) and (99), bimited as it is, would not, if I am right; affect the recruitment or probable promotion.

30862 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Survice? If not, what rate do you suggest for the various grades of the service? -I disapprove of the distinction as being (i) unfair to the officers of the Provincial Civil Service, who may justly claim the same pay for the same work and responsibilities; (ii) bad for the real and ultimate interests and name of the Indian Civil Service who are accused of being selfish monopolists, drawing more pay for same work; (iii) the accentuation and perpetuation of the distinction between the two services, which, even though it is not practicable to amalgamate, the tendency in the interests of the Empire and of India, should be, in my opinion, to draw nearer rather than keep the Indian Civil Service as a separate superior caste as at present. My actual proposals are summarised in my general note and in my answers to the Provin-cial Civil Service questions. I accept, however, for practical reasons, especially those of economy to the country, the two thirds scale.

30883 (106). Is there any reason to suppose that officers of the Indian Giril Service take more or less leave of any particular kind that chay this 5, 10, 15, or 20 years age? If so, to what in this dust P. Sattisties are not swallable to me; but partly owing to the facilities of the steambig and the Sew Cond. partly to the discates of fastions led by the Engishwoman in India, I am under the impression that the tendency towardsys is to take all the leave-available and to spend it in Empoye, even the shortest periods.

30884 (207). Is all the leave, on full my due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be extend in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full reasons are also as possible up to combined leave for six mentals. The amount which can be earned is, I think, suitable.

suitable. 30858 (108). Is all the furiough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?— Furlough due is ordinarily taken, subject to financial considerations on the part of individuals. The present furlough is, I think, necessary.

30866 (109). Do you consider that the rates of furlough allowances are suitable? If not what changes do you recommend?—The rates are suitable,

30867 (110). Do you recommend any change in the concession, granted in 1898, under which leave allowance expressed in rupes, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of ourrency, are issued in sterling at the privilege rate of exchange of L. 6d. the rupe? If so, what change?—The change I recommend is that, subject to the minimum furlough allowance of £500 at 1s. 4d, i. c. Rs. 666 annas 12 pres 8, the furlough leave allowance should be half the three years' average at 1s: 4d. the rupee, independently of the place where the leave is spent or the allowance is drawn. The present concussion, so called, is a direct bounty to induce officers to spend their leave out of Iudia. With the present day facilities to spend leave in Kashmir or hill-stations and recoup health there, officers should, if not be encouraged to spend leave in India, at least not be discouraged from doing so and adding to their knowledge I have not noticed any addition of " liberal" ideas from these visits to England; and I think the old Anglo-Indian feeling of India as the place to work in and if need be, to die in, was better for the service and for the country and the Empire than the present-day tendency to regard India as the land of exile whence to rush "Home" on the

slighted protext.

38958 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative risk fixed in stelling and in runes, and if so, what change I—The maximum and minimum rates are suitable and should be gaid at 1. 4d, the rune—practically, the normal

market and 30859 (122). Have you my recommendation to make in regard to special likes, extraordinary leave without allowances, and other forms, ofleave? Do you consider that the present conditions governing these kinds of leave, and the barry allowances admissible, are suitable?—The present conditions are untitable; and I have no changes to

30870 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met ?—This again is a question rather for the Local Government. My suggestions are stated in the answers to questions (97) and (99).

30871 (115). Do any of the present leave rules press hardly in any way on officers of the

MINUTES OF EVIDENCE.

Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?---I would suggest as a broad principle and test of the appropriateness of leave rules that all kinds of leave (other than casual leave) should be allowed to be joined up to a maximum of two years, so long as the work does not suffer or extra expense is not caused to Gov-ernment by such joining. The joining of privilege leave to furlough and (by Judges) of the holidays or the vacations may be extended by their being allowed to join hold, subject to these conditions. Similarly, officers of other departments may be allowed to join holidays, such as Christmas.

30872 (117). Have you say other pro-posals to make in regard to the conditions of leave not covered by your answers to the above

questions?-No.

30873 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Govern-ment and by the members of the Indian Civil Service ?-As far as I know, yes.

30874 (119), Would non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?-I believe not.

30875 (120), Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons? - Apart from netuarial inquiries as to the average amount contributed I would suggest that the Pension Rules should approximate to the Military Rules such as the Indian Medical Service or Public Works Department and also provide for proportionate pensions after (a) 15 years' service, (b) 20 years' service including 84 per cent, active service of those not actually incapacitated by medical certificate but desirous, for other reasons, of retiring.

30876 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—As they have practically lost the Executive Councillorshy, the period of III y sears should be contailed to 59 years and they may be compulsorily retired at the end of this period or on attaining 55 years, whichever is later.

30877 (122). Do you consider that a similar system should be applied to the cases of High Executive Officers, and if so, to which? Please state the amount of pension and the condi-tions which you recommend as suitable?-No;

the present system may continue.

30878 (128). Assuming the substitution of a non-contributory system of superanouation pensions varying in amount with the amount of pensions vaying in amount of the immediate salary drawn at the time of retirement, please describe the system that you recommend?—In the absence of actuarial information, I have no remarks to offer except that the pension of £1,000, the main attraction at present of the service, if lesseard, directly or indirectly, will probably, in my opinion, affect the service prejudicially. It is actually one of the present inducements to join; and most men are in blissful ignerance, till they have joined, that a good part of it is self-contributed.

30879 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—£500 a year is the minimum I recommend, but as said above [questions (97) and (99)], I do not think the power of compulsory retirement could be vested in Local Governments, without prejudice to the independence of the service.

30880 (125). Do you consider the existing sension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement!—The present rules are

all suitable

30881 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?-1 approve.

30882 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed-posts? If not, what do you suggest ? - I approve.

30883 (129). Do you accept assatisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?-I am not admitted to the Family Pension Fund and have no

proposals to make.

30884 (130). In particular, do you approve of the exclusion from their benefits of "Natives of who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based ?-I, naturally, disapprove; and, though, personally, it is too late for me to join, having regard to the fact that two or three Indians have been allowed to join, would suggest that they be admitted, upon condition that they forfeit all right to their contributions or to the banefits of the Fund if they marry a second wife during the lifetime and validity of the marriage with a previous wife, which, as a matter of fact, no one has done or is likely to do.

80885 (131). Do you recommend that such admission should be optional or compulsory?-

Compulsory

30486 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?-No.

39887 (134). Have you any criticisms to make on the facilities at present offered (a) to statutory civilians; (b) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease? -No.

30588 (136). Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.—Yes, I am fairly satisfied.

Written Answers relating to the Provincial Circl Service.

\$0889 (1). Please refer to Government of India Resolution No. 1045-1058, dated the 19th August 7th March 1913.7

1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Even at the risk of being misunderstood, I think it my duty to offer

the following observations :

Paragraph 3, Rule I: Of the different classes of the community appears to mean by its working different castes and creeds, Hindu, Muhammadan, Lingayat, Indian Christians, the domiciled counumity, each being treated as a class. If so, the rule should be clearly so stated. So understood, I think the principle of representation of castas unsound in theory. Whatever its applicability to political legislative representation, its extension to administration, executive or judicial, assumes that the latter is mainly a question of loaves and fishes and a right on the part of each community to share in them. On the other hand, it is expedient in the interests of the community to prevent monopoly by any costs of an ordinary lower post of administration; but the principle and the expediency have both less application, the higher the post. I would, therefore, insert the words where necessary after the words 'on the other'.

I have gone into the point further in my general note. Here to obviste misconstruction, I may say at once that the weak point in the present Provincial Service appears to me to be not that there are not some of all castes or creeds but that there are too few of the agricultural castes, which are the backbone of each Province, Hindu in some parts, Muhammadan in others, such as Sind. Government should direct its efforts to get more Maratha Deputy Collectors (and Mamlatdars and Subordinate Judges) for the Marathi-speaking Districts, more patidars for Gujarat, more of the Sindi Mahomedan agricultural class in Sind, and so on. Thus, the Having Brahmans, who are the best cultivators in Canara, deserve encouragement as cultivators and not discouragement as Brahmans. The addition of this element should be, in my opinion, the aim of the administration, and not a vain attempt at the representation of all eastes and ereeds in the Provincial Civil Service or even the negative indiscriminate motto 'No Brahmans need apply which has been openly proclaimed by some and is being acted upon by more officers, for all posts from the Provincial Civil Service downwards. In Maharashtra, the administration derives little or no particular strength from the presence in it of Parsis or Jews or Eurasians or Muhammadans or Lingayats or Brahmans, as such. On the other hand, it would derive strength from the presence in it of the agricultural Maratha Kunbi, not the old Maratha families, whether of the five families of January analysis of the minety-six so-called aristo-oratic families or even of the class of mixed Maratha blood whose claim to be Marathas is denied by the latter and who are not Kunbis, Actually, the English educated class among so-called Marathas consists of this last.

To seeme this object, Government should give every facility, not only for free studentships but also for scholarships for the Agricultural degree and reserve to themselves the power of nomination of one quarter of the Lower Provincial Civil Service Control of the Lower Provincial Civil Service Cadre until such time as the agricultural castes have progressed sufficiently in English educationa matter of one or two generations with proper care. Subject to these observations, I should like, celeris paribus, all castes and creeds to qualify and to obtain posts, but upon fitness, not upon caste.

Again as to the Brahman monopoly, the war against which, as far as I know, has commenced and grown with the political, especially the extremist agitation in the Dekkan, the indiscriminate use of the term Brahmans, even in Maharashtra. overlooks the important sociological fact that the Chitpayan is entirely distinct from the other castes of Brahmans, that the Deshasthas are sub-divided into Rigvedi and Yajurvedi, real castes in the sense that no intermarriage ever takes place. Whether it is wise even to declare war upon the Chitpayan caste as such because of the sins or crimes of Tilak or the Nasik murderers, appears to be at least debatable. That it is unwise to do so against Brahmans indiscriminately appears to me to be certain, no less than the manner in which it is said to be done. It is one thing to try and uproot a caste clique in any office, whether Amil. Chitpavan, Sarasvat or Nagar, and introduce fresh blood upon the broad ground of the abuse spring-ing from caste monopoly. It is quite another thing to supersede deserving Chitpavans from members of the Provincial Civil Service down to clerks by less deserving men, because the former have the misfortune to be Chitpavaus, as is a common complaint, but to what extent justified, I cannot say. As a matter of fact the Chitpavan usually makes the best clerk and often the best Subordinate Judge and Mamlatdar.

The same remarks apply in the case of Gujarat, the Canarese-speaking Districts and Sind.

I would, therefore, suggest that paragraph 3, Rule I, of Appendix A should stand as follows:

I. The rules must be adapted, on the one hand to obtain thoroughly efficient candidates, and, on the other, to secure, where necessary, the due representation of the agricultural classes of the

Province. Similarly, in II (b) the weak point in the present system is that an officer of the Provincial Civil Service is not only most useful in the districts where his mother tongue is spoken, but is often of little use in those where it is not. This is best exemplified in the case of Sind; but it really holds good of each of the four lingual tracts of the Presidency. Recruitment for the Provincial Civil Service should be, therefore, really upon the basis of a separate Cadre for each of these tracts ; though for the purpose of promotions only (not of traus-fer) all the Cadres may be lumped together. Rule II (i) might be amended in this sense,

These remarks apply to the whole Provincial Service

30890 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—I would divide both branches of the Provincial Civil Service into two, a higher and a lower.

The Higher should be recruited entirely by the same open competition (a) for the Judicial, from B.A., LL.B's, (b) for the Executive, from M.A.'s or B.A.'s, the former should begin from Rs. 200, the latter from Rs. 250 and after Rs. 500 should be promoted by selection, so as to obtain one of the listed higher posts, that is charge of a District after about 15 years, with eligibility to a Commissioner-ship and a High Court Judgeship.

The Judicial branch of the Lower Provincial

Civil Service should begin as at present on Rs. 150; one-half nominated by the High Court upon the reports of the District Judges from ministerial officers who have passed the High Court Pleader's

. Mr. G. D. MADGAYKAR.

Continued.

Examination before 35, and from practising pleaders, one-half to be nomirated by Government from B.A., LLB's or High Court Pleaders chiefly from the agricultural classes.

The Executive branch of the Lower Provincial Civil Service should begin and present on Re. 150, concludit to be nominated by the Commissioner upon the reports of Collectors of ministerial English knowing officers who have passed the Departmental Examinations before 35, one-half to be nominated by Government chiefly from the agricultural classes.

As to the lingual basis of the recordinace please ree question (1): whether for the Higher or the Lower Provincial Gril Service, the candidates mother tenges should be that of the District in which he is to serve, e.g. Para and Griprathi Mubhammadars would come in the Gujarate cadre, Decemi and Konkin Muhammadars it he Marathi cadre, Lingayat in the Catarree, Amile as Stedhis, and so on.

As to the nature of the competitive examination. I think it should be in the main the same for both, for judicial and executive. A high standard of modern Begish from Stakesparee, the Biblio, Milton to Tennyson, testing mainly the shilliy to write and to speak good Begissi, Indian and English History (inchalling forgarphy), elementary Bomomies applied to Indian conditions, elementary Political Science (Perfessor Jent's Hitle primer, for instance), administrative and the revenue and judicial systems, the Indian Penal Code, the Criminal Procedure Code and the Evidence Act and the modern vermousing with as optional subjects, Persian or Arabio for Hindu candishtes, Saaskrifs from on-Hindus.

The reasons for the identity of course are as follows. The fact that the competition is open only to B.A.'s for the executive and for B.A., LL.B.'s for the judicial, secures the necessary pre-liminary standard of general education for all, and also of legal education for the judiciary. addition, the candidate should possess that broader knowledge of History, Economics, Politics, and general administration, especially revenue and judicial, which would enable him to realise the nature of his work and its place in the State. The elementary Criminal Law and that of evidence is necessary for the executive; and the former also for the civil judiciary in times of famine, etc., when they have to do magisterial work, besides which they have already studied these subjects for their LL.B. or B.L. as it is called in some Provinces. As for the optional subjects, I am of opinion that a Hindu officer who knows Arabic or Persian and a non-Hindu officer who knows Sanskrit will be better able to understand and will often command more respect from those not of his religion. This should be at present not made compulsory; but should be encouraged and left optional, not by giving Hindus the natural option of Sanskrit and non-Hindus of Persian or Arabic but in the converse

30591 (7). To what extent are non-residents of the Province employed in your Provincial Givil Service! Do you consider that only residents of the Province should ordinarily be recruited!—The Local Government is in a better position to assert the former question. To the latter, I should say "Yee" for the reasons stated in the answer to question (1).

30892 (9). What is the system of training and prolation adopted for officers of the Provincial

Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend? Except that in the executive, candidates undergo a short training at the Treasury and that Subordinate Judges on probation are usually, not always, placed first as Joint Subordinate Judges, there is, I believe, no other system of training. In the case of the judiciary, I do not think any further training has been found necessary, as the choice is confined to LLB's or High Court Pleaders, practically the former. Nor do I think any further training necessary in the case of the executive, if they are required to pass the examination I have outlined in question (2), except that I think, they should be required to pass three weeks learning treasury and accounts and doing magisterial work, three months on tour (with an experienced Deputy Collector) exercising 3rd class magisterial powers and trying cases under his supervision, three months with an experienced Mámlatdár, understanding taluka work and six menths to a year in actual sole charge of a nonhead-quarters taluka, brigaded with an ex-perieuced Head Kurkun exercising 2nd class magisterial powers. At the end of this period, they may, if fit, be invested with 1st class magisterial powers and placed in charge of a subdivision.

division.

I consider, however, that the jamier Deputy Collector should have a five years good experience of charge of a chaira, as I consider also that the Manhatkar's status, especially his dependence upon Commissioners and Collectors, and pay should impreve if the administration is to improve. I therefore advocate that the Provincial Covil Service should begin from the let grade Maintain of the Brown of the Covincian Covil Covincian Covinc

30893 (10). Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?—Suitable, but see answers to questions (1) and (2).

39394 (11). Do you consider that any change should be made in the classes of olices and appointments at present included in your Provincial Girll Service?—I consider that the Mandaddar from the let grade (Ro. 250 and upwands) should be taken up in the Perrincial Civil Service. They are the basis of the essentire administration. They are of probibly and education among them has risen in the last generation. Their present start, Re. 150 with little hope of rising keyodi He. 250, is too low, and compares unfavorably with the judicial. This standard can and should be raised by the change proposel, which will ecourage almost as good a class of men to join the executive as now arable for the judicial.

30,995 (18). What is the annual rate of resuntment and how is it flood? He is it workel well in practice and does it seems an even flow of promotion 2—This is for the Local Government to say. I have beend complaints by judicial members of the Previncial Ceril Service as follows:—(i) the start of Re 150 is too low, (ii) the promotion up to Rs, 300 is too low, (ii) the promotion up to Rs, 300 is too low, (ii) the promotion up

30836 (16). To ahat extent is any system of selection for appointments to the higher grades enforced? Is any clauge of practice required in this respect?-Promotion to Rs. 500 and above is ous respect reproduction in the sense that the opinion of the Collector and Commissioner, I believe, in the case of the executive, and of the District Judge and the High Court in the case of the judicial, is asked and usually acted upon. In the case of the judiciary, the system works well, and I have not heard complaints. In the case of the executive, I have heard that

(i) officers serving immediately under Com-ssioners, such as their Assistants, are often selected probably because they have better chance

of their good work coming personally to the Commissioners notice; (ii) Europeans and Eurasians and occasionally Parsis and Muhammadans are selected and the others, especially Hindus, put back upon racial

I am quite unable to say what justification there

is for either complaint.

30897 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of ealection for higher appointments and of the com-pulsory retirement of inefficient officers?—I have no opinion to offer and no suggestions to make such as an independent member of the Provincial Ciril Service would offer. As far as I have heard there is no complaint on the part of the judiciary beyond that in question (15),

30898 (18). To what extent are the func tions of the officers of the executive and judicial branches of your Provincial Civil Service differ-entiated? Is any change desirable, and, if so, in what direction?—The Departy Collectors (and Mambatdars) have magisteral powers, at first 2nd class and later, 1st class. In famine times, on the other hand, Subordinate Judges are invested with 1st class magisterial powers in order to leave the executive officers entirely free for their executive

duties I am in favour of a complete separation of these functions in the case of the executive, except that
Deputy Collectors may continue to exercise
powers under Chapter VIII of the Code of Crimilial Procedure. The other eminital work now
done by them could be done partly by Subordinate Judges, who, after working as 2nd class magistrates for 3 years, could work as 1st class magis-trates and partly by honorary magistrates and benches of honorary magistrates invested with 2nd class powers and power to commit cases, and and ones powers one power to commit cases, and stational diverge at each claims and peths hand-quarters, and, where men are available, elsewhere in the tables. The latter could give such appre-ciable relief that no very serious burden need be thrown upon Schodifinate Indiges, the 1st class cases pure and simple being companity by the The saving of time so effected to Manhatdárs and Hand Kafring should early the Head Karkuns should enable the enlargement of taluka limits so as to reduce one. Mámhatdár in a small District, two in a larger District, and to enable a City Magistrate to be appointed at heademble a City Magistrane to be appointed at lead-quarters to de the ungistratin work, at meant-usually done by the Hund's Deputy Collector, i.e., once the cargo of the District Pressury. When once the cargo of the District Pressury. When there is no Assistant Judge and populate Powery could be assistant Judge and beginn powered to hear appeals from 25 and 3 rd class magistrates. In the course of time, proved

honorary magistrates and benches of honorary magistrates could be given first class and sum-mary powers under Chapter XXII of the Code of Criminal Procedure.

The experience of the criminal work of Subordinate Judges in famine times and of those selected for the listed posts is entirely in favour of selection for the insteal posts is chairty in tayour of the probable success of this proposal; and their civil work will gain by losing any excessive tendency to technicality to which it may be inelined.

30899 (19). Are you satisfied with the existing arrangements by which certain posts; ordi-narrly filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what afterations do you suggest?—As regards the executive, the presence of two Statutory Civilians as Collectors as led to the short acting appointment as Collector, I believe, on two occasions of a senior member of the Provincial Civil Service. The data are, there-

fore, insufficient to form an opinion. As regards the judicial, having had personal experience of the work of almost all the members selected, I am glad to place on record (with one possible exception where a member of the executive was selected for the judicial) the exceedingly good results which justify the existing arrangements and system. As regards civil work, this was to be expected. But even as regards criminal work, where the result might well have been more doubtful from the previous inexperience of the officers selected, they have justified their choice, epen when placed in heavy districts and smid circumstances of some difficulty, such as previous work in the same district in a subordinate capacity or among strong influences of their own caste

The only alteration, I would suggest, is that au executive officer should not be selected for a judicial listed post or vice verad; and that while the Judicial Member of Council should continue to select, the High Court should be consulted and given a practical power of veto if the selection appears to

them too hazardous.

30900 (20). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service? . If not, what change would you suggest?-This presidency (eide Appendix V) shews only 3 Assistant Judgeships, open to the Provincial Civil Service as interior listed posts, a mistake apparently, as the total of inferior listed posts is shown as 11. There is an omission of 4 against the Small Causes Court Judgeships and perhaps 1 against the Assistant Settlement Officer, which, however, appears to be a temporary post (vide page 77A of the Bombay Quarterly Civil List corrected up to 1st October 1912). But even so, I am unable to ecount for 3 more posts to bring the total of

inferior listed posts up to 11.

The Bombay Provincial Civil Service appears to me to be not less competent than the Provincial Civil Service in other Provinces. I suggest that they should be given in the superior posts out of the total cadre, eligibility to 1 High Court Judge-ship, one-third Heads of: Districts and one-half of sup, one-curva Heans of Distincts and one-mark in the District Judgeships. I am against giving them either the Tsilukdari Sottlement Officer or the Registrarship, Appellate Side, High Court, the latter: an appointment which the Chief Justice might give to an Indian Civil Servant or Mr. G. D. MADGAVEAR.

[continued.

a Provincial Civil Servant as be deems fit. In the inferior posts, I should add an Under Secretary to Government and a proportional number of Assistant Judges, and the Registrarship of Co-

operative Societies.

30901 (21) Are you satisfied with the present designation "the Provincial Civil Service?" It not, what would you suggest?—I think the designation suitable enough. If the members of the Provincial Civil Service prefer that of their Provinces, e. g., Bombay Civil Service or Madras Civil Service, I see no objection to their wish being gratified.

neing graduet.
30302 (22). Do you accept as suitable the
principle recommended by the Public Service
Commission of 1886-87, and since followed, that the conditions of the Urovincial Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend ?-I accept the principle.

30903 (24). Are the existing rates of pay and rading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I recommend that the Subordinate Judge should, when confirm-

ed, begin on Rs. 200.

30904 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The officers of the Provincial Civil Service can answer this question better. I have heard no complaints.

30905 (S0). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments? -I am unable to defend the arrangement, which is opposed to the ordinary fair rule of 'same work, same pay'. And the Statutory Civilians resent it, I know. I must leave it to the members of the Provincial Civil Service to represent their own views in the

30906 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—I believe it is, but the extension of service beyond fifty-five should be

abolished

30907 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest? - Fide my remarks It so, what do you suggest—rise my remarks on the similar question No. [87] as regards the Indian Civil Service. I consider the encouragement of independence in the Provincial Civil Service so important that I think the power should be vested not in the Local Government but in the Imperial Government. The pension upon com-pulsory retirement should be Rs. 2,000 a year minimum with increase varying according to service over eight years.

30908 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listel-posts? If not, what do you suggest ?-I approve.

30909 (44). Do you consider that the existing rules governing the voluntary and compulsary retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I think the Provincial Civil Service so greatly wanting in independence inter abic because of the fear of reduction and of com-pulsory retirement, i. e., dismissal by Local Officers and Government. These powers should be medi-

fied as follows:				
Officers.	Power of eampolyary retirement			
(Judicial and Executive) drawing Bs. 850 and upwards, who, i have recommended, should be members of the Provincial Civil Service.	Local Government valle to the per- muss standing of the Generality of Lodic grantel off in harms the other, with appeal to the Secretary of State,			
Judicial Officers below Bs. 300	High Court with previous rivet on of			

Logal Gaverns 10 the above. recentive Officers, expectation 3nd. The Commissioner with the pres-Class Marinterial papers and smelton of the Local Government interface of similarity to the above.

30910 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?-As to the Judical branch I am satisfied. The High Court and the Judicial branch of the Indian Civil Service may well be proud of the standard of probity, intelligence and work of the Subordinate Judges, who are the real basis of the administration of Civil Justice. Their work is exceedingly good and they should be encouraged and appreciation shewn in a concrete form by having more listed posts thrown open to thom up to High Court Judgeship, so us to follow in the wake of men like the late Mr. Ranade.

As to the Executive branch, men from the same class are available, but are not so well attracted.
The main reasons are that (i) the prespects
compare unfavourably : the usual Mamlatdar can hardly rise above 250, the Sabordinate Judge may reasonably look forward to Rs. 400 if not Rs. 500; (ii) the greater dependence upon the Commissioner for nomination, upon the Collector in practic, for maintenance of his grade, and upon the Commissioner is the commissioner of the commis sioner for remaining m service, the result being that the Mamlatdar dare not give his bonest opinion much less act upon it in any matters of importance, Executive or Judicial, but must take his tone entirely from the Collector and the Commissioner and is thus reduced to a ministerial officer whose advancement depends upon his setting himself in his manners no less than in matters, small or great, by the clock of these officers.

The Mamlatdar, not the Callector, is the real basis of the revenue alministration, apart from the village officers. He of all Government erecutive officers knows after some experience the real opinion and conditions of the people and can bert appreciate the probable effects of any measure on the part of Government. The raising of his position, status and pay, or at least prospects, above all the encouragement to his independent expressions of his opinions, without detriment to the prompt and disciplined carrying out of orders after such expressions, appears to me to be the most essential need of the executive administration. It is towards that object that my suggestions in the next question are directed. adopted, there is every reason to hope that the executive administration will be strengthened and will improve as the judicial has improved.

continued.

30911 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—My suggestions in regard to the Executive branch of the Provincial

Civil Service are:

(i) A Higher Provincial Civil Service from 1st Grade Mamlatdar on Rs. 250, by open competition from B.A.'s. [for the course of study see answer to question (2), Provincial Civil Service] so graded as to he able to rise by selection above Rs. 500 or Rs. 600 to at least an Acting District in about 15 усать.

(ii) A Lower Provincial Civil Service hegiuning on Rs. 150, as at present, one half to be nominated by the Commissioners, upon the recommendation of the Collectors, of ministerial English-knowing officers, who have, before 35, passed Departmental examinations; and one half to be nominated by

Government chiefly from agricultural classes.

(iii) The officers of the Provincial Civil Service (m) the officer of the revenues of the Service from the let Grade Mamlatder to be liable to be promoted, suspended by the Local Government but retired or dismissed only with the previous sanction of the Imperial Government to whom a

right of appeal should lie.

(iv) More executive listed posts to be thrown open to the Provincial Civil Service including at least 1 Sindhi, 1 Gujaráthi, 2 Maráthi, 1 Cánarese Collectorship, if not 2 in each; I say 2 Maráthi, as there are 10 Maráthi-speaking Districts excluding Belgaum which is half Maráthi, as against 6 Sindhi (one I believe added since), 5 Gujaráthi, The Talukdari Settlement Officer 4 Cánarese. should be taken away from the listed posts.

I have already suggested that all the officers of the executive should be relieved of criminal work and should not exercise any magisterial powers except under Chapter VIII. I would add that. at present, apart from assessment of income tax, the Huzur (District Treasury) Deputy Collectors have little executive work, properly so called. Their main responsible work is really magisterial. They could, with little effort, be converted into judicial officers, i e., 1 stationary City Magistrate in charge of the Treasury and accounts, and as at present in that sense have to do much more with Sessions Judges than other Magistrates, should not be difficult to make them Magistrates subordinate to the Sessions Judge, and Treasury officers subordinate to the Collector and the Accountant General, where for want of sufficient work of funds, separate City Magistrates can not be appointed.

As regards the Judicial, please see question (2), Considering that their training as B.A., LL.B's.

is more expensive, I suggest that :

A First Class Subordinate Judge with Appellate Powers on Rs. 500 and above should be Assistant Judge with the appellate powers of a District Magistrate, to hear appeals from 2nd and 3rd Class Magistrates except in cases where the Sessions Judge specially reserves any appeal before himself. (This will involve a little amendment of the Criminal Procedure Code.)

More listed posts thrown open: as a minimum, District and Sessions Judgeships as follows; Gujarát, 3 Maháráshtra including the Konkan, 1 Cánarese-speaking District, 1 in Sind (to be raised to 2 in about 15 years). As a maximum up to one-half of the total District and Sessions Judgeships.

Eligibility to 1 High Court Judgeship out of the 3 reserved for the Indian Civil Service, I include Pleaders in (1) not because I think a great many practising Pleaders will be available but, because I think the possibility will encourage a high pro-fessional standard among the junior Bar, waiting for work, to whom the waiting period is full of temptations.

If possible, for both executive and judicial posts once a Provincial Civil Servant gets his permanent. District, a grading in the Indian Civil Service (as was done in the case of the Statutory Civil Service for the beginning) so as to reduce the present heart. burning in both Services.

Mr. G. D. MADGAVKAR, called and examined in camera.

30912. (Chairman.) You are a member of the Indian Civil Service, and a District and Sessions Judge ?-Yes.

30913. To what caste do you belong?—I should call myself a Native of India pure and simple. I was what is called a Gaudsaraswat, or Shenvi

30914. From what part of India do you come?—I was born in Bombay.

30915. Where were you educated?—I was educated entirely in Bombay. I graduated here, and then I went to England and passed out. -30916. Did you go to a University?-I went

-8916. Did you go to a University 7—1 went to Oxford after possing out. I morely spendi-ny two years' probation at Balliol. 35917. What has been your official experi-ence 8—1 first went for four years to Burma-I served there as an Assistant Commissioner and Forest Settlement Officer, and I was then officed a transfer to Bombay, which I defined. Subsequent-ly-after about, way or or to Louden. I have been serving here, I think, since 1898, first as Assistant Judge, and now as Judge.

as resistant sunge, and now as sunge.

30018. We have been obliged to take your
evidence in private, because it might, in our
opinion, give rise to racial and other bitterness if-

it were taken in public. I should like to say here how very much we deplore this spirit, from whatever quarter it may come. I recognise, and my colleagues do too, that the introduction of this spirit into this public question can only be detrimental to the best interests of the country, and it certainly is of no value to us in the esquiry which we are undertaking. I shall, therefore, take you at once into the merits of the specific proposals you have made, and I shall confine myself to the answers to the questions which were sent out to you and which you were asked to answer. I shall not attempt to examine you upon the casay which is prefixed to ware is prefixed to your agewers. I think it would have been very much better, and certainly of much more use to us, had you confined yourself to wellbalanced and concise answers to those questions, To begin with, I understand you desire to see an increase of Indians in the Administration ?-I think it would be a source of strength to the Administration.

30919. And you would advocate simultaneous examinations in England and in India?-Yes.

30920. You anticipate that probably very few Indians will be successful in the first few years, about four or five ?- Yes; for a long time to come, certainly.

lentimet.

30921. Do you mean four or five in addition to the number which have been successful at the open examination during the past few years?—Four or five in India.

30922. So that assuming that the same number were successful in Bugland you think that probably ten or eleven might be successful in the first few years?—I am not exactly aware of how

many have passed out at present.

3023. Seem passed out also year, and four of five the year before. Do you think it would be many years before Indians had attained an educational standard which would enable them to compete aucessfully in larger numbers "—As far as I can gather, a great many years.

30924. Failing simultaneous examination, you would accept a separate examination in India for one-fourth, or possibly one-third of the posts in the Indian Civil Service?—I should accept that pro-

posal with some reluctance.

50/95. Assuming, that schome were accepted what kind of examination would you suggest?—
I would still maintain the highest course of liberal studies open to Indians in India, on Western and British lines, foreurse. I think there would be a few small maddinations necessary. Greek would certainly have to be dropped, because there or an on facilities. I should apply Lord Massachy's principle as for as it can possibly be applied to the highest liberal education available in India.

30920. I suppose there would be no difficulty in applying Lord Macaulay's principle to the conditions of India?—Except in regard to certain subjects, such as Greek, for which there are abso-

lutely no facilities

30927. But if the examination were arranged suitably for Indian candidates, it would be in subjects that would comply with Lord Macaulay's condition?—Yes.

80928. And those conditions could be arranged for India in the same way as they are arranged

for England, could they not ?—Yes., 30929. In your answer to question (10) you quote some figures to show that any special arrange-

ments for communal representation are unnecessary?—And undesirable.

30930. You do not think that there might be diffiguity in an Indian from the South being appointed to a Province in the North —Speaking only for the parts of India over which I have travelled myself, which do not include the North-West Frontier, I am not able to perceive any difficulties, with all deference.

30831. Speaking from your own experience as an Iodian Gril Service editor, who has occupied a rostifien in acube Province, did you find any difficulties?—No. I notice in Burnar the Commission was given certain information, but I cannot say that personally I had any difficulty whatever in getting on exceedingly well with the Burnoss-30082. How long were you there?—For about four yours. I think! I expired the

30082. How long were you tareet — Bor about four years. I think I acquired the language; I know that I liked the people, and, to a certain extent, my knowledge of Sanskrit enabled me to talk with the priests about Pali and other literature, which would possibly not be quite so easy for the ordinary European.

50033. You found no difficulty from the fact that you came from a different part of the country, either on personal or administrative grounds?—No, so far as I could tell.

30934. Do you think that there would be no difficulty, say, in the case of a Brahman in Madras

being appointed to a district, say, in the Punjab?— It is rather difficult for a man who has not attained a post beyond that of a District Officer to express a decided opinion upon these points which must be a matter of experience rather than a matter of theory.

50925. You appear to have given a decidel opinion in your nauve f—There are certain prot and coats. Per instance, I can be of great use to Government in my own part of the country, so long as I keep my hands perfectly clean and wavy from casto influences and anything of that find. My mother-drongue being the same, I ought to understand the people better than a man from another part of Judia. or a Empean provided I keep to that standard. If I do not keep to third standard. If I do not keep to third standard.

and full balow the standard of the Cvil Service, and full balow the standard of the Cvil Service after, I shink, three or four years' service, and you say "it would prehaps be an additional indiscense if, say, Rs. 100 a month were given to those who do." What he you mean by an indiversent of Rs. 100 a month, In this Presidency, as soon as an Assward Collector becomes an Assistant Judge, he loses his travelling allowance, and he suffers really in pry. Morrowr, he has has harder and more indoor work to de.

30937. So that you suggest this extra Re. 103 to meet additional expenses?—No; to attract men more to the Judicial: a sort of artificial bounty to attract mon to the Judicial, so to speak.

30098. If that activing bounty of the 100 m month does not attract, them you would return them from the Provincial Ciril Service up to the necessary amount 2—It is difficult to decire any other remedy. I think that a man who does not like the Judicial side, and is forced into it, is not likely to make a good Judge.

30989. Is there great difficulty in getting Gridhans to enter the Judical Branca at present?—I think there is, as far as I know. Not being in the Scaretariat u is difficult for me to speck positively.

30910. That is by no means the expenses of all Provinces is it? - I am quite models to say.

30941. Anyway, you attribute a certain value to the three or four years' service spent by the Judicial officer on the Revenue sale: —Undoubsedly.

8004. You say to "The fitness of these also choose will be tested in three of four parts and during the state of the fitness that the fitness are until as to require completely or internet." Why should you suggest that the unit of the should be to the Resenter's "Lift for the Julia", that is. A man has presumably be and any firstly good much for those of far years in the Leavest one and if he finds after three or far years in the administration of the state of the parts of the first three of the parts of the head of the state of the parts of the Leavest to the head of the state of the parts of the first of the first of the first of the state of the parts of the Leavest to the Leavest could be the state of the first of the f

2013. I suppose you float that Chiffle, should be addered more on stream of English thanking than be up to stocked an array as on the joint of chiefle float in present facts it has the product in the floating for process for the latter scale has those some or it is which in a how span already months! I always to qualifying a months! I always to qualifying a months! I always to qualifying a manager for the Bar.

[continued]

7th March 1918.].

30944. There is nothing to prevent an officer going to England on study-leave?—No, on ordinary leave, and getting called to the Bar, as several men have done.

30045. But, do you not think that study-leave should be allowed purposely for that training ?-I take it that it is only a question of rupees, annua and pies. That he should get furlough leave or

study-leave, I see no great objection to that. 30946. You say: "Unless they are so unfit as to require compulsory retirement." But later, I notice that you are opposed to compulsory retirement for the inefficient ?—I should not object to compulsory retirement by the Secretary of State, but I should object to compulsory retire-

ment by the Local Government. 30947. You have no objection to the suggestion which has been made to us for the establishment of a scheme of compulsory retirement by a detached tribunal whose decision would be confirmable by the Secretary of State ?- I should prefer it to be direct by the Secretary of State, the Government and the Secretary of State. I have quoted Mr. Birdwood's view of the protection of cove-

30948. The Secretary of State would have to obtain information from somewhere?-Yes : but before the man is compelled to retire he would have his say before the Secretary of State, and it would not be merely on certain papers which were

forwarded to the Secretary of State. 30949. You have said: "The prospects of the Judicial Service are so bad that officers retire practically when their pension is due". Could you tell us what grounds you have for saying that?—I have talked with most of the District Judges. I think you want my authority for the statement. My authority for the statement is personal talk with the District Judges, on such occasions as at the Indian Civil Service dinner.

30950, Speeches at the dinner?-No. talks amongst ourselves.

30951. I do not understand what you mean by your answer to question (110) which has reference to leave-pay. Do you suggest that the rate of pay should be reduced on leave from what it is at present?-At present there is a difference in the rate according as the furlough is taken in India or outside India. I think that difference should be abolished, and that the furlough pay should be fixed, whether at one-and-four or one-and-six is a detail for financiers. It is difficult for me to enter into that, but I think there should not be, so to speak, an absolute bounty to officers to spend their leave away from India. That is all.

30952. You mean that the pay which is granted to officers going to England should be reduced to what they would draw in India?—No, permit me,—that the furlough pay should be the same whatever the place the officer spends his furlough in, whether in England or in India.

leave away from India.

30953. Does your proposal amount to a reduction of the present pay, or not?—For officers going on fullough to England, no; but, if necessary, furlough pay might be raised in India-

30254. You\would not care which way it was, whether it was mised in India, or reduced in whether is was timed in limits, or reduced in Bugland. I thought by your saying that a bounty should not be given to officers going on leave to England you implied, that there should be a reduc-tion?—No, it is a differential bounty. Even I get more pay if I spend mly furlough away from India. than if I spend it in India, and so does any other member of the Indian Civil Service. 30955. What is your objection to European

officers taking their furlough in England?-I have no objection whatever to their doing so, but have no objection wastever so unear true of the last they should not be paid more. There ought to be no differential inducement to make them seemd their furlough in England. I leave it entirely at that

30956. (Sir Musray Hammick.) In answer to question (110), on what do you base your concluduesting truly on an area of your conduction of the same as a land of exile, whence to rush home on the slightest pretext"? On what do you base that? As a matter of fact, I think less furlough is taken than used to be the case?-With all submission, I think more visits are paid to Europe than used to be the case. That is my impression, subject to correction.

30957. That is all you have upon which to base your remark, when you say that India is regarded as a land of exile, and is not a country in which, if need be, to work or die. That, you think, is based on the fact that furlough is taken now imore frequently?—My authority is not my own.

It is Mr. Sidney Low's.

30958. Mr. Sidney Low is a tourist who came to India, and I do not think that his authority is great on Indian Administration. You base it on what Mr. Sidney Low said?-And what I understand to be the case, that leave is taken more frequently.

30059. As regards the dislike of the Judicial de you not forget a good many points which rather act in favour of the Judicial?—First of all there is the annual holiday for the Judicial: "Greater mental strain, complexity of Judicial work, and want of holidays"?—" Want of holi-days," did I say?

any; an I say;
30960. I think you said that?—No, I beg
your pardon. I say: "Indoor nature of the work
and the smaller number of Judgeships open," and

30961. Is not one thing in favour of the Judicial Service that they get an annual vacation?—Undoubtedly.

30362. And another point in favour of the Judicial Service, and the reason why you have a great number of officers going into it is, that every day in the Judicial Service you get a complete day's work which is finished, and done with at the end of the day. They can shut their Court and go away, and there is no more trouble until and go away, and acres is no indee would than the next morning. On the other hand, the Collec-tor is in the hands of petitioners, and is subject to interruption day and night?—I think the hardest part of a Judge's work is what he does at home, and not in Court

30963. He is not interfered with by petitioners, and if he chooses to write his Judgments at home he can do so. There is, however, no reason for him to do so, as if, he wants to write his Judgments in Court he can do it. I know several Judges who do it. I suppose another thing in favour of the Judicial is its interesting work. It is a complete work in itself. I have heard many complete work in users. I have near many officers say that they like Judicial work, because each Judgment is an interesting piece, of work in itself which they can finish to the best of their ability themselves. On the other hand, a Collector nomey organization. On the other hand, a Collector is subject to all sorts of difficulties in connection with the work he does. Is this not a fact that one benefits by being in the Judicial line?—So far as

Continues.

I have heard them express any views on the subject they appear to find rather a monotony in the Judicial.

30964. Do you not think that what I have said is a point in favour of the Judicial?—I have nover heard it put before from that point of view.

30965. I suppose you admit the annual heliday?—Yes, certainly. I think I admitted that at the beginning.

8000G. And there is the freedom from responsibility so far as the peace of the District is concented, and viola, and famine, and hopes, and so on. Its not that rather a point in favour of the Judge A-11 is difficult to content responsibilities such as those. When it is the case of a man's life hanging in the balance, and when you are responsible for the tailing of a most's life, it is rasher difficult to compare the responsibility.

30967. But that does not happen every day.

Do you not think that the Collector is subject to a
good many more harassing responsibilities than
the Judge?—It is a matter of temperament, I

should think.

39098. You say: "The completed solution of the fundamental administration problems of the Gereman and iteration rendering most of the duties of the Collectors and Assistant Collectors largedly mechanism, which is done by the village and talkink officers. There remains really very little to do, and that little does not need the vernaoniar "Justion (23). Is it your opinion that the Collector have very little to do and that that fluttle does not need the vernaoniar"—I think a good Collector who keeps his District well in hand has very little to do himself, unless he wishes to create work for himself in the shape of red taps; whereas his Assistant and Dennities have more work to do.

\$9959. Otherwise you think he has an easy time?—Famine excepted, he has an easy time. 39970. And also very little need of the ver-

nacular 2—That rather depends upon himself. 80971. I am talking of the efficient Collector. Do you not think that to be an efficient Collector, you have some need to talk the language fluently and well?—I think it is an indispensable qualification.

S0072. Then whydo you say: "That little does not need the vernacular"?—I am speaking of actual office work, not of morely going about and talking to the people. I am speaking about his actual official work proper.

30978. I suppose the ordinary Collector does a good deal in the shape of going about and fulling to the people?—It is largely a matter for himself.

30974. In three or four months of the year he is in camp and tents, is he not?—Yes.

30075. And not only the Collector, but the Assistant Collector, is include in your criticism. Is he not required to talk to people for six or seven months in the year when he is going about the country, and is in testef 3—Not only that, lost he is required to know the language in order to try cases properly.

30976. But it is bardly an accurate statement to say "There remains really very kittle to do, and that kittle does not need the vernocular?"— I can speaking, really, of his correspondence, and his official work in the ordinary sense that the

word is used.

30077. You would confine it to that. You do not say that his correspondence now requires very little venueolar. That would be more or less true. But you say, "There remains really very little to do, and that little does not need the venue out." Can be do it efficiently "—Ideas of efficiency differ greatly.

\*\* 39078. They do apparently. Your idea of efficiency is what I want. Be you think that "There remains very little to do, and that little "There remains very little to do, and that little "There remains "We have the Repulsement of this ride. The regard is the remainded. I have the Repulsement of this ride. The regard is the remainded by the latter of the remainded by the remainded by the remainded by the remainded by the remainded by the remainder of the remainded by the remainder of the remain

numb in that may to do.

30979. You say that you include Assistant
Callactors in this puragraph, that you are talking
about the duties of Collectors and Assistant Collectors ?—I say that most of his duties are largeuncelastical. When I speak of Settlement Ruites,
fraudonati, that is all done by the Collector.

30980. And it does not need the vertacular at all?—That is so : and less than it used to do. 30381. You say "I confess that the swamp-

3081. You say "I confess that the excuping by the Bushmuss squents one to be a logiwhich does injustice to the taleans of the non-Brahman communities." Have you ever head of the competitive examinations which were held for the Accessits Department for many vers?—No, I am not acquainted with them. Were they by mentications?

39982. No, by competition. They were open to anybely. You are not aware that appointments were taken exclusively by Brahmans for many years up to last year?—I know only two men in the Accounts Department. I was under the impression

that men had to be selected

30033. Selected, and then put in for the empetitive examination, limited competition. They have almost all been Multrais. Out of seventeen cases, I think fifteen were Brahmans. It is not altogether a bogic that Brahmans would carry off all these?—I am judging by the University figures which I went into for my owe satisfaction.

3985. As to your University figures, early all you say to us is that there are a certain number dome-Herbanan communities compared with Herbanans; but you do not shew us the population of Barbanan spaints the appulation of most features?—I think I have said that a larger percentage of Brabanan in proportion to other unsubers may be capilishtes and years.

30985. Does not that show that Brahman are a more intelligent race and likely thorn-trip the others?—I would rather not express an opinion upon the personal intelligence of Brahman.

2888. (Jr. Fisher,) too her both the same person managed the first a great number of resource histon. To which of your re-emandations do you per only at the first meaning time? Which if their station recommendations which we have selimited the would you must like to re-carried into which?—I can attach absolutely no share they grow made that they grow the first him to make stank, around the the split in which I understank, arounding to the Chairman, my remove have been received. All my re-connectations were salely conserved with an loaset desire of looking at the Service as the greater instrument for good that Bushad could do for Justin; and if

7th March 1913.7

any of my recommendations, or their spirit, has been misunderstood, I will not only attach no value to them, but I regret exceedingly that they were

30987. I was auxious to ascertain. It is rather difficult in a long statement, such as yours, to see where you can distribute your weights and measures. I was anxious, as I say, to ascertain which of your particular proposals you thought of most importance?-I do not think I could answer that. If you would ask me about any definite proposal of mine. I will answer you.

30988. Do you attach any special importance with regard to the separation of the Judicial ?-I have said that I do attach importance to it; but at the same time I for one should be exceedingly sorry if it meant any additional taxation on this side. My position has been purely impersonal throughout. I reflection whatever upon the present District Magistrates. My point is that it is an invidious system, and places the District Magistrate in an invidious position, and, therefore, it would be better for him if

position, and, enserted, a variety of the present of the were placed out of that position.

36989. I do not understand your observation when you say "The existing basis of the present Executive Provincial Civil Service, the Deputy Collector, is wrong, the right basis being the Mamlatdar or Taluka Officer." I do not understand what reason you have for making that statement?—In precisely the same way as the Subor-dinate Judge is the basis of judicial administration. Ninety per cent. of suits up to Rs. 5,000 go before him, and he hears witnesses and sees them, and appreciates the evidence and applies the law; so that I take it that the Subordinate Judge is the real basis of the judicial administration. In the same way with regard to the people. The Mamlatdar is the responsible officer who comes most into contact with them, and he is able to judge of agricultural progress, and the amount of the assessment, and things of that kind, which most affect the essential interests of the cultivators.

30990. What would you do for him?-I should enhance his status and position. It is with that view that I have made the proposals at the end for the organisation of the Executive in my answer to question (46), where I say the higher branches of the Provincial Civil Service should be taken from the Mamlatdar of the high grade, and not from

the Deputy Collector, as they are at present. 30991. There is another question which occurs to me. You say "The weak point in the present Provincial Civil Service appears to me to be not that there are not some of all castes or creeds, but that there are too few of the agricultural castes," Do you think the members of the agricultural castes wish to enter the Provincial Civil Service ?-At present their education, taken as a whole, is very slight; but I must refer to the unfortunate remark which has drawn down upon my head the reproach of the noble Chairman. It appears to me that, taking a historical view of the subject there is this division between rulers and ruled, which has been a very weak point in the history of India; holding that view I should like to see a real beginning made in the admission of agricultural castes to responsible posts under Government. They are not at present fit, because they are not at present ed neated.

Being members of the agricultural castes are they not at present occupied in agricul-ture?—They are occupied in agriculture; but, if

they had the necessary education and a few scholarships, I see no reason why they should not do the work, and do it as well as present Government officers, and I think that Government should direct its attention to that to a large extent.

30998. You think it would be possible to educate them up to that level ?- I firmly believe

You recommend that Indian Civilians coming out, should, when they first come out to India, stay for two months under the general guidance of a Judge, a member of the Board of Revenue in a capital town in the Presidency?-

30995. I suppose that would mean about twenty or thirty Indian Civilians to each Presi-dency town?—No, I think not. I think the annual arrivals are about six or eight. That is about the maximum in this province

30996. Do you think they could profit by a stay of two months in a capital town?--I think so. I think that before a responsible officer actually proceeds with the discharge of his routine duties it is always better that he should see the machinery at head-quarters, and so have a broader outlook upon the whole administration in its practical aspects before he actually discharges his smaller duties.

30997. (Mr. Slg.) Your written answers contain several opinions autogonistic to Government and to the European members of the Service. While I wish to dissociate myself from those opinions I do not tonsider that any useful opinions 1 do not bousider that any metal-purpose would be served by caranining you upon a mere expression of opinion, but where you support such opinions by a diged farts I wish to ask you some questions. You say in one place "The survival of the Statistory Grillans was made a pretent for keeping the Provincial Civil Service out of the posts to which they were critisted." Let not fort the Commentary. entitled." Is it not a fact that Government most clearly declared that the claims of Statutory Civilians must first be satisfied? -I have merely stated that they are complaints made to me by members of the Provincial Civil Service. I have no knowledge and no opinion as to whether their grievances were right or wrong.

30998. Do you consider it right to give in your evidence statements of grievances against Government which you have not verified in any shape or form ?-I merely felt it my duty to lay these grievances before you. I consider the Government incurs no repreach by having any

grievances of its officers brought to its notice. 30999. Take the next statement "The onefourth maximum limit laid down very recently. by the Government of India would similarly prove by the Government of Items would summarly prove a limit in theory which would nover be worked up to in practice." Can you tell me where that maximum of one-fourth has been laid down?— It appears to me that I was, perhaps, under a misapprehension.

31000. I wish to ask you where that one-fourth limit has been Inid down? I was under a mis-understanding. That one-fourth apparently does not apply to the Provincial Civil Service, but to estaiders.

31001. You make the complaint that Government has promised one-fourth, and you say that it "would similarly prove a limit in theory which would never be worked up to in practice?"—The Provincial Civil Service seem to imagine that they have not got all they ought to get,

fern'inned.

31002. The only one-fourth limit that I know of is a limit which has been imposed by Government as a protection to members of the Provincial Civil Service to prevent the appointment of outsiders? Is there any other maximum limit?—There is a one-fourth limit for the protection of outsiders?

31003. For the protection of the Provincial Civil Service against outsiders. Do they complain of that protection?-They say they have not got as many billets as the Government of India wanted them to have. That has been the gist of their ompiaints.

31004. Your statement says that the Government has promised them that one-fourth maxi-mum?-"Promised" is not the word in my answer.

31005. "One-fourth maximum limit laid down very recently by the Government of India." The words are clear?—Is not the one-fourth the maximum limit hid down? That appears in the question and, I think, in the Appendix. There is a one-fourth limit.

31006. There is a one-fourth limit, as I know, to the recruitment of outsiders for the protection of the Provincial Civil Service; but there is not one-fourth limit for the listed-posts to my knowledge, which is the complaint you are voleing here?—I have not said "Ope-fourth maximum limit of listed-posts." 31007. New let us take your complaints

against the treatment of the Judicial Service. In answer to question (64), one of your first complaints, I understand, is that the Executive Membership of Council has been lost to the Judicial Department, and has been seenred by the Executive Dejartment. Do you know of any rule which lays down how that Membership of Council should be recruited ?-It is filled up by the Secretary of State for India.

31003. I want to know if you know of any rule which has been laid down as to how that Executive Membership of Council should be recruited ?- I only know that it has been filled up by the Secretary of State for India, and that until the time I speak of it had invariably been filled by a Member of the Indicial branch of the service here.

31009. Until when ?-Until 1890. I am not able to give the date, but Sir Charles Olivant's

was the first executive appointment. 31010. Since 1807?-In the nineties.

31011. Was not Sir Charles Olivant specceded by a Judicial officer? - Yes, by Mr. Pulton, Since then, it has been invariably held by an Executive Officer.

31012. That is correct; but do you know any rule laying down that it shall be filled by an Executive officer. - Until the rule with regard to Bir Charles Ohvant's appointment.

\$1013. Do you know, as a matter of fact, that the Secretary of State, while declining to lay down any rule with regard to the matter, has stated that it is desnable that a High Court-Judge should not be appointed as Member of the Executive Conneil? Some such statement was made in the House of Commons-

31014. Then what is the complaint against the Excentive Government for having done that ?-It is not a complaint against the Executive Government; it is a grievance on behalf of the Judicial Department, which are very different things, I conceive, with all due respect.

31015. Then you have also referred to the Secretaryship in the Judicial Department. Can you tell us what work the Judicial man does in the Secretariat; does he deal with the jails?-Not having been in the Secretariat I am not able to give you the details.

31016. Does he deal with the Police ?-Yes. '31017. Do you know whether any rule is laid down that the appointment shall not be made from the Judicial side of the service ?-No; I believe

there is no rule.

31018. As a matter of fact, has not a Judicial officer held it within recent years?—It was quite the exception to appoint a Judicial officer like the one who is on leave. I understand that he is not going to get in when he returns from leave in April.

31019. But it has never been an Excentive appointment. Your allegation is that it has been absorbed by the Executive. As a matter of fact, as far as I am aware, there is no rule whatever that it shall be filled either by a Judicial or Excentive officer, but that the Government should select what officer it likes?—The rule has been to select an Executive officer, which is the complaint of the Judicial Department.

31020. Apart from that, does it not involve a lot of Executive duties?—Sceretarint duties. 31021. Duties in connection with the Execu-

tive and Pelitical Department, Jails and Police?-

31022. As well as Judicial?-Yes, doubtedly.

31023. You have also referred to certain political posts as being what you term, I think, "absorbed" by the Executive Your statement is that "Mr. Sladen is Agent to the Governor in Kathiawar though he has nover previously served in the Political Department." Have you verified that statement ; is it correct?—To the be-t of my knowledge, I think. I verified it. I am exceedingly surry if it is inaccurate, and I apologice.

S1024. Do you know, as a matter of fact, whether Mr. Sladen served as Assistant Political Agent in Kathiawar in 1830?—I was not aware of that. I see he was for two months.

31025. Do you know that he served for some substantial period as Assistant Commissioner in Sind in a gazai political character ?- An As-i-t int to the Commissioner is not an appointment in the Political Department.

31026. It is of a quasi political nature: it has olitical duties?—He is Personal Assistant to the Commissioner.

41027. Do you also know whether he was Political Agent in Khairpur in 1905?—That was merely a post added to the Collectorate at Salthur, 31028. It was a political p < ?- Every Col-

lector is a Political officer in that sense. There is a small Native State attacked to very District, of which he is supposed to be in charge.

31029. In the Jammagar State is not the

est of Administrator wholly an administrative

billet? - Undoubtedly.
31050. In no way connected with the judicial daties, is it?-I am mently punting out the dis-advantages of advancement in the Judicial as compared with the Executive.

31031. Have you taken the trouble to calculate what are the computative salaries in the Julicial and Executive Departments in the superitr posts (-No. I have not. 286

31032. Would you be surprised to hear that the average salary in the superior posts of the Judicial Department is higher than that of the Executive ?-I should be exceedingly surprised to

hear that.

You have also referred in that same 31033. statement to the office of Inspector-General of Police. Has that always been held by a Police Officer with one single exception?—Off and on, I believe it has been held by a member of the

31034. I am told that the only exception in which that appointment has ever been held by an officer other than a Member of the Police Department was Mr. Stewart ?-Yes, I was thinking of Mr. Stewart.

31035. That is the only exception? —Very possibly. I have said expressly, "has been held before by an Executive, but never by a Judicial Member of the Service."

You have stated in your answer to 31036. question (87) some facts with regard to what you consider to be the unfair treatment of the Indian Members of the Indian Civil Service. You yourself, I understand, have never been passed over for promotion?—No.

31037. So far as you are concerned, you have no complaint?-Personally, no. I have no exm-

plaint to make here.

\$1088. What is your present District?-I am at Ahmedragar.

31039. Is not that one of the most favoured Districts of the Presidency ?-Yes.

31040. Does it not also contain a large Enropean population with a Cantonment?—Yes, It is quite the exception for an Indian Judge to be there

81041. I understand that you complain that no Indian Member of the Indian Civil Service has been selected to sit in the High Court?-Yes, I have pointed that out

310±2. Was it not the case that one Member of the Indian Civil Service in Bombay officiated in the High Court? - Yes, for two or three months,

31043. Do you know the reason why he was

not confirmed in that position?-I have heard the reason from him,

Do you think it is a satisfactory reason?—It is not for me to judge.
31045. And have you also heard that another

Indian was offered the post of Judge in the High Court, and refused it?—For a short time he was offered the post.
31046. He was a Statutory Civilian?—I did

not know that he had been offered the post permanently. 31047. You heard he had been officiating ?-

I heard be had been offered, 31048. And that he refused it?-Yes, and

that he refused it.

81049. So far as your own Province is concerned, has there been a supersession of Indian Members of the Indian Service which you complain about?-There has been a supersession Statutory Civilians in executive poets; and there has been a supersession of a number of Indian Members of the Indian Civil Service too

31050. For reasons which are satisfactory?-They are not reasons for me to judge. But Mr.

Tagore was passed over. 31051. In answer to question (89), you refer to the confidential reports on officers?—Yes.

31052. You say, " An officer's prospects may be blighted without his knowing what his defects Are there any rules of Government upon this point ?-- Not to my knowledge.

\$1053. Have Government issued instructions that reports of an unfavourable nature should be communicated to the officer?—Not to the Judicial

Department, to the best of my knowledge, 31054. There are orders to the Executive Department on that point: are there any confidential orders in the Judicial Department?-

The High Court refers to District Judges, occasionally, for purposes of promotion 31055. Is there any system of confidential reports from the District Judges to the High Court ?-No; but whether there is from the High

Court to the Government, I do not know. 31056. In doswer to question (51) you have stated, that the "newly arrived Civilian within six months of his arrival, at present, is President always of Local Boards and often of Municipal Boards?-

Within nine months.

Is it not a fact that all Presidents of 31057. Municipal Boards are non-officials at the present time?-Not all, to the best of my knowledge, unless they have changed during the last few years. I am under the impression that there are some.

31058. There may be one or two exceptions, but otherwise I think you will find that the whole are non-officials?—I was myself President

of several Municipalities.

31059. You say that the number of Assistants who are placed in charge are so placed about nine months after their arrival in the country ?-Yes,

\$1060. There you refer mainly to the Revenue charge of the Sub-Division. As a matter of fact, is the officer who joins within nine months given full Sub-Divisional Magistrate's powers? -Not Magisterial powers. 31061. Not Magisterial at all: it only refers

to Revenue charge?—He gets second class

mogisterial powers after about six months. 31062. When you say that he is placed in charge of a Sub-Division, he is given only Revenue charge, and is not a Sub-Divisional Magistrate?-I am not quite sure. He is usually a Second Class Magistrate in charge of a Sub-Division

31063. He is neither a First Class Magistrate nor a Sub-Divisional Magistrate?-I am not sure

about Sub-Divisional Magistrates.
31084. (Sir Theodore Morison.) I should like to say at the beginning, as I read your paper I did not think it was actuated by any animosity against the Government or against the European members of the service; but I do think that, perhaps, now you will think it is very injudicious. There are many things in it which ought not to have got into print, and you have seen the impres-sion which has been produced. I wish to say that when I read it myself I did not form the impression that it was actuated by animosity?-When I wrote it I wrote asking, if the Local Government and the Commission thought fit, that this General Note might be treated as confi-

dential; and I think the Secretary will bear me out in that.
31065. You see, from the remarks which have
been made, it was liable to be taken in another In your answer to question (1) of the Provincial Service series, when you refer to war against the Brahmans, do I understand that to be

that you are merely repeating a charge? Are you prepared yourself to say that there is any truth in prepared youtself to say that there is any truth in this charge? You say "Whether it is wise even to declare war upon the Chikpayau caste as such"?—In point of getting posts,

31065. You say at the end, "It is a common complaint, but to what extent justified, I cannot say." Do I understand you to say that you have no evidence with regard to that?—I have heard complaints to which I have declined to listen. On the other hand, throughout my evidence here it must be realised clearly that it is exceedingly difficult in India for Government officers to make complaints. I consider, if there is any feeling against my own service, that I am acting in the best interests of the service in bringing that complaint to the notice of members of the service or of the higher authorities such as the Commission, rather than by ignoring it, feeling confident that my own service is strong enough and just enough to remedy the grievance, if it really exists, and to dismiss it if it does not.

31067. And are the other charges, which I will not take you through, brought in that spirit? There are one or two other things you say you heard but about which you have no evidence. Do I understand it to be done in that spirit, to bring them to notice, and not to create had feeling?—My sole object in mentioning this is that officers in the position of Commissioners have more or less endorsed this view against Brahmans, and have more or less given it to be understood that Brahmans were not to be given pasts, I do try myself in my own small way to breaden the administration by encouraging other castes. With all deference, I think it is a fatal mistake of policy to announce the exclusion of Bulmans. It is sounder, in the interests of administration, to base it as broadly as possible, and not to announce it as anything against Brahmans. I think there is a difference between the two. one hurts the Brahmans' feelings, and I think it is not politic, if I may say so as an Indian officer. I may be entirely wrong.

31068. With regard to what you call "the lost Membership of Council in the Judicial Department", the advantage of occasionally giving a Membership of Council to the Judicial Service was brought before us in the evidence we have just had. Does this represent a common feeling in the Judicial Branch of the Service even if it is innocurately expressed?-To the best of my knowledge, yes.

31069. You think that members of the Judicial branch of the Civil Service should be represented in the Executive Government?-They generally feel that very much.

31070. Do you think that view is shared by anyhody elso except by members of the Civil Service?—It is shared, I think, by the Bar, as far as I know, by Pleaders, and by men who have had much to do with the actual administration of justice.

31071, What about the Subordinate Judiciary ?-I think they, undoubledly, do share that feeling very largely.

31072. For what reason?-It the first place there is the question of the allotment of fun's, for instance. It is a matter which most be fought out by the Judicial Member. If, in order to obtain the sinews of war, a question of that kind

comes up in the Executive Council, the Department starves, and necessarily there is delay in re-

31073. In answer to question (3) you say, " If a simultaneous examination in India is not granted, I would reluctantly submit to a single separate examination in India". I see you yourself speak of it without enthusiasm ?-Yes.

31074. What is the general feeling in India, as far as you are able to cather it ?-I should not like to answer a question about the general feeling in India.

31075. What do you think is the opinion of the public?-As far as I know the public would prefer simultaneous examination: if not, they

would take a separate examinat on. 31076, (Wr. Heatan.) There are only one or two points in your evidence upon which I propose to ask you anything. You say: "To the best of my knowledge there is afrealy an impression in the service that honest independent expression is not the way to preferment by selection, and that this latter is better attained by perfect agreement with views or theories from above. Similarly, there is a feeling in the Judicial that not only pendence, but the hencilt of the slock in Civil percented but the hence of the south of Crown, is the real road to preferment. We own impression, for whatever it is worth is that along with causes such as Bailway and Tel graph which what chases sum as industry and rengings which render contralisation possible, there has been a decided falling off in point of interpretation the Service. As that is written, it implies that it work opinion there has been a decided follow of of independence, in not merely the Executive, but the Judicial Branch ?- That is not my or ong.

31077. Have you not adopted a not a dor-nate and misleading way of expressing tunate yourself? - If that is the construction to be put upon it, it is most unfortunate.

31078. Read it for yours If?-That i cartainly not my meaning.

31079. I venture to tell you that it is a passage which no man realing could full to challenge if he had the interests of the Judoid Department at heart. I will retaid that you unreservedly withdraw any charge wholever that that passage may imply so for as the Julicial Department is concerne 1?-I have never for a moment entertained such a thought with regard to the Judicial Department. I say that employtically.

31050. You do not desire to express whything of the kind?-If that is the emstruction at him.

an one amore in that is one constant of the defi-l desire unreservedly to withdraw it. 31081. (Ar. Ilka likade.) In reply to Mr. Sly's questions you had to a built that there were no rules which made it absolutely not any to appoint members belonging to the Judicial Bases of the Civil Service to several of the 19th which he named. You said that there were to cales which gave the discretion to the Irval Government in making these appointments. Do you tunk, as a member of the Indian Civil Service, that members of that service belonging to the Juli 4. Branch are equally capable of disharming the duties attaching to the services? The Secretary to the Judicial Department has to dual with the Police. Do you think a member of the Judi all Branch of the Indian Civil Service is equally qualified to deal with question which or limiting would come before the Judicial efficación A Judicial officer would equally cope with the duties

744 Morch 1918.]

concluded.

appertaining to that office ?- My opinion is that a man who has been a Judge would be much better able to deal with the purely judicial side of the Department, and would be equally fit to deal with

the Police and other Departments, as mentioned by

31082. (Mr. Jogleker.) In answer to question (16) of the Provincial Civil Service questions I see 31082 you say, "Officers serving immediately under Commissioners, such as their Assistants, are often selected probably because they have better chance of their good work coming personally to the Commissioners notice". Would you consider that a Deputy Collector on Rs. 500 and upwards should be appointed to these posts?—Yes, not merely Deputy Collectors. I understand that there are head clerks to Commissioners, but I do not know the exact details.

\$1088. The head clerk is a mere clerk to the Assistant Commissioner. There are two Assistants for each Commissioner. One is called the Native Assistant, like myself, and the other is called the Assistant Commissioner. It is not always that each of these Assistants draws Rs. £00 and upwards. So that, when you say that giving promotion to those on Rs. 500 and upwards to "officers serving immediately under the Commissioners, such as their Assistants", do you mean that Assistants always draw Rs. 500 and up-

wards?—As far as I know.

31084. That is not the case?-Deputy Collectors say that these who are in the office of the Commissioner are getting an undue advantage, because their good work comes under the Commissioner's notice; men who are immediately under the Commissioner are promoted to special billets. I do not know, however, whether it

31085. Who premotes them ?-The Commissioner, or the Leeal Government on the recommen-

dation of the Commissioner, possibly. What is the complaint?-That the 31086. men in and about the office of the Commissioner get an unfair advantage by their work coming more prominently to the Commissioner's notice than those who are working in other districts away from the Commissioner. 31087. Do they not make their administration

reports and submit them to the Commissioner and

the Government?-Yes, I believe so.

31088. (Mr. Chaubal.) I do not desire to put any questions to you; but I think it is fair to state to you that when I read your evidence, and knowing you as I have done for so many years, the idea never entered my mind that what you wrote was intended in any spirit of creating any

racial feeling; and even now, I do believe, that all your answers have been given with the one purpose of putting your views before the Commission and before your Service, and in order to bring about a sion will not so construe it. (The witness withdrew.) (Adjourned to Monday next at 10-30 a, m.)

existed in other Provinces. (Cheirman.) I should like to say before you leave that I was not commenting on your statements as being expressed in bitterness by yourself; but I had to explain to you that why we had to examine you in private was that the assertions you made reflected to such an extent on the European members of your Service, and on the Government, that had we examined you in public the amount of cross-questioning which must have taken place would have been most injurious to the lest interests of this Commission. I have no doubt you will fully appre-ciate that had some of your statements been made in public they would have had to be challenged. It has been my aim, in very difficult circumstances. and it will continue to be my aim, to carry on this complicated and difficult enquiry exhaustively

without going into the merits and demerits of

the respective races; and, therefore, any answers

given by witnesses, which would be likely to

rather more cordial feeling than you thought

arouse such a feeling, will, we have decided, and I think properly, in the best interests of the country,

be considered in private.

31090. (Filares.) I shall be obliged if you will allow me to say a few words by way of personal explanation. During the twenty years I have served in the Indian Civil Service I have never spoken or written a word against the traditions of the Service or its discipline. I do not think every European officer can say as much, certainly on this side. I was not in the slightest degree anxious to give evidence. On the contrary, as Commissioners, I think, you will appreciate that of all witnesses the position of a Native member of the Indian Civil Service has been about the most delicate. At the same time, being called upon, it was impossible for me to decline to answer these questions. Every day of my life I have to warn witnesses to speak without fear or favour, and to speak "the truth, the whole truth, and nothing but the truth." I think it would have been insulting to the Commission if I had written down anything which I did not feel to be true. so much to Englishmen and to English teachers that I think it would have been the height of ingratitude had I done so. I have always had such cordial relations personally with the members of my own Service that nothing has given me greater pain than to hear that my remarks have been misconstrued in that way. It has been with me purely a question of the invidiousness of systems, and not a question of the personal merits of races. If there is anything I have said or written which can be construed otherwise, I beg that the Commis-

### At Bombay.

Monday, 10th March 1913,

# TWENTY-NINTH DAY.

### PRESENT:

THE RIGHT HON'SER THE LORD ISLINGTON, K.C.M.G., D.S.O. (Chairman).

THE EACH OF RONALDSHAY, M.P. SIR MURRAY HAMMICK, K.C.S.I., C.I.E. SIR THEODORD MORISON, K.C.I.E. MANADEV BHASKAR CHAUBAL, ESQ., C.S.I.

And the following Assistant Commissioners:— JOSEPH JOHN HEATON, Esq., L.C.S., Judge of the High Court of Judicature, Bombay. Gopal Krishna Gorhale, Esq., c.i.e. Frank George Sly, Esq., c.s.i. Herbret Albert Laurens Fisher, Esq. James Ramsay Macdonald, Esq., M.P.

Ráo Bahádur RANGHANDRA NARAYAN JOGLERAR, Assistant to Commissioner, Central Division, Poons. Raghunath Gangadhar Bhaddhade, Esq., Judge of Small Cance Court, Poons,

M. S. D. Butler, Esq., c.v.o., c.i.e. (Joint Secretary).

Sir Narayan Ganesh Chandavarkar, Kt., Judge, High Court of Judicature, Bombay.

Written Answers relating to the Indian Civil Service.

31091 (1). What is your experience of the working of the present system of recruitment by one competitive examination for the Indian Givil Service? Do you accept it as generally satisfactory in principle?—My experience is that it is generally satisfactory in principle.

31092 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I can find no fault in detail and have, therefore, no alteration to suggest.

31093 (8). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?— I think the system is equally suitable for the admission of "Natives of India" and of other subjects of His Majesty.

admission of "Naiwes of India" and of other natural-born subjects of His Majesty. 33004 (4). Further, is any differentiation destrable between other classes of natural-born subjects of His Majesty? If so, what do you repress?—I do not think any differentiation is at present desirable between the Britishborn subjects and the Colonial subjects. There is a strong feeling growing in the country against those Colonial subjects. There is a strong feeling growing in the country against those Colonial Subjects. There is a strong feeling growing in the caching the Indian subjects of His Majesty, whose Governments have been exchange the Indian subjects of His Majesty from their territories, and it is suggested that our Government here should reliable by the adoption of similar measures with reference to those Colonials, and among the measures suggested for that purpose is the one to declare that the Indian Civil Service shall not be open to them. Scoondly, I am not sure a Colonial fleab the same interest in and his the same

sympathy for India that a British-born has. But, for the present, the problem is not so serious and of so practical a character as to call for any alteration in the present system.

31095 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with thatfor the Indian Civil Service is or is not to the advantage of Indian interest? Plesse give your reasons?—So far as I can see, there is neither advantage nor disadvantage in the present system.

31096 (7). What is your opinion regarding a

Sir Narayan Ganesh Chandayareas.

[continued

competition. I must confess, however, that the above considerations present only one side of the case, when we consider it as a question of practical politics and general expediency. While I am of opinion in common with a very value 1 and 5 benefits of my countrymen, that the principle of the Parliamentary Statutes and the Queen's Proclamation of 1858 should stand out as a principle, the necessities of the administration require that, in practice, it must be worked up to by advancing stages. We cannot shut our eyes to the fact that the character of the administration should be British, which means that there must be, for the present at least, a sensible and preponderating element of the British personnel in it. We cannot shut our eyes to the fact that while in this country we Indians feel that a system of simultaneous examination in India and in England will remove the anomalies present and do away with the bar which practically shuts out the service to the best of our young men, there is a fear on the other side that such a system is sure to inundate the service with Indians and sensibly diminish the British element in the service. Under these circumstances, and with this conflict of views, which both deserve to be taken into serious account, I venture to think that the best solution for the present lies in reserving not less than onethird of the posts in the service for the Indian subjects of His Majesty. If under this system, the prescribed one-third of Indian candidates come out successful, well and good. If not the one-third should be made up in some other way, i.e., by appointing deserving and capable members of the Bar or the Subordinate Judicial and Revenue Service; the proportion may vary as experience would warrant

31097 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?-I think the examination should be held at only two centres -- London and some centre in India. if the principle of simultaneous examinations is accepted.

31098 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend ?- I would not go in for a separate examination in India, or separate examinations in each province or group of provinces in India. If the selection is to be by a competitive examination, it must be one examination, one test for all. Where that test fails to give the required number of test and so give the required named of Indians in the service, it should be made up in the way suggested by me in my answer to question (7). The latter has the advantage of introducing into the service men who have proved their capacity by either meritorious service in the Subordinate Services or good practice at the Bar. In this way, a chance is given to all classes of Indians.

31099 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India

for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend? In particular do you consider it desirable that whatever system, all classes and communities should be represented? If so, how would you give effect to this principle?—I have practically answered this question in my answers to questions (7) and (9). The second alternative of my proposal means nomination; and as to that, the question arises whether in the system of nomination, all classes and communities should be re-I think that they should be, presented. subject to this consideration that the man mominated has the required calibre, mental and moral, and is not appointed merely because he belongs to a particular class or caste. I know the danger of nomination is that it opens the door to jobbery, intrigue, and favouritism. But after all, no system can be devised which is perfection and will satisfy all. As to the mode of giving effect to the principle of nomination, I have already made my recommendation in the previous answers.
31100 (11). If you are in favour of a system

for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?-My answer to this question follows from my answers to the previous questions. I would rather encourage Indians competing in England as it presupposes a visit of the young man

to that country, which is sure to benefit him. 31101 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services? The system of selection in India which I have recommended above, is in lieu of the present system of promoting to listed posts, officers of the Provincial Civil Services. In my opinion, the Provincial Civil Services should be recruited by means of a competitive examination, and not by mere selection and nomination. main objection to this is stated to be that it will enable only men of certain castes and classes, who are more intellectual and have greater educational facilities than the rest to get in. But nearly all classes and communities ger in. Dun heavy an classes and communicates are now coming up; and I think, within a few years, there will be no sensible disparily of intellectual gualifications and educational facilities to justify the complaint that only certain classes such as Brahmans will outnumber all others in the service. Whatever watered on exiting 1 feet from the previous properties of the previous communication of the properties of the previous communication of the properties natural or artificial facilities the Brahmans or other superior castes had, years ago, they are finding their equals now in the other communities and the movements for the enlightenment and emancipation of the latter are, growing in volume and importance. That being the case, I do not see why entrance into the Provincial Civil Service should be Sir Nabayan Ganesii Chandavarkar.

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dominated by any consideration paid to the class, community or caste of the person to be nominated.

31102 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?describe sate system that you would propose?—
I would not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. I am, of course, giving my opinion based on knowledge of the history of that branch in the Bombay Presidency. There was a time—so long ago as 1872—when the Bombay method of recruitment for the Judicial Branch of the Indian Civil Service was regarded as more satisfactory than the system in any other part of British India, and was held up as a model for other parts. But even then it was acknowledged that, as a rule, the Judicial Branch was not popular with the Civil Service or held much in sympathy by Government, and was regarded as the refuge for "the unfit." Of late, however, especially since the influx into the service of university men, the Civilians who have been admitted into the Judicial Branch, have, in my opinion, proved capable judicial officers. During the last 12 years of my service on the Beuch of the High Court of Bombay, I have found that the quality of the Civilians serving as Judges has, have manifested the legal habit of mind. Several methods are proposed by which to qualify the members of the service for judiotal work, such as a preliminary course of training under an English Barrister or some months practice at the Bar. I am not sure any of these methods are needed. What is needed is the selection from the service for the judicial line of men, who love the science of law and do not regard it as mere common sense, which, as popularly understood, is no sense at all and who have a judicial temperasense as all and who have a judicial behavior ment. We are getting such men now more than before under the system which yields men of general culture afforded by their training. Some of the best Judges of our training. Some of the best Judges of our High Court, who have left their mark on its law and work, have been members of the Civil Service. All that I would propose is the drafting into the service of Civilians, who have a leaning for judicial work; a preliminary training for a year by way of trials of original suits; and promotion to lat grade District Judgeships and to the Bench of the High Court not on the ground of seniority but with due regard to merit and knowledge of law.

still 6 (14). Are you satisfied with the present definition of the term "Natives of Yadia." in section 6 of the Government of India Act, 1870 (38 Yick. c. 3), as inducing "any person born and domicidle within the Domintons of His Majesty in India, of parents labitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed Europeas and Indian descent, or of mixed Europeas and Indian descent or of unmixed Europeas and Indian descent make in regard to this matter 71 Ind. please state fully any proposals that you wish to make in regard to this matter 7—I am astisfied with the present definition of the term "Natives of India."

31101 (15). If the system of reormitment by open competitive examination in England is retained, plakes state the age-limite that you recommend for canditates at each examination, giving your full reasons. Do you consider that the age-limits about be fixed to strated canditates of the normal school-leaving age in England, or canditates who have completed a university course, or canditates at an inter-mediate stage of education?—I think the present age-limit is good and would not recommend any attention. As to the rest of the question I think that the present age-limit is sufficient to attract Indian canditates who have completed a university course in India. I do not feel myself qualified to arrayer the yeat of the question.

31105 (16). What is your experience of the relative metric of the canditates ealested under varying age-limits, particularly, once the system in fonce from 1878 to 1831 (age-limits 17-18 years, followed by two or three years probation at an approved university) and since 1801 (age-limits 21-23 or 22-24 years, followed by your year's probation? P—My experience is that we are getting a botter and higher quality of men under the systems grown since 1891 than under the systems previously in force.

31.106 (17). What is your opinion regarding the suitability of the resoft recruits to the Indian Civil Service — My opinion is that the resent recruits to the Indian Civil Service, with their university straining and the broad outlook on life which it gives, are more able to enter into the spirit and aspirations of the people of India than their predecessors. So far as I can judge, they are men who can move with the times, free from that invertebrate temper which lives in the India of old and does not see the soul of things masching on slowly and yet steadily even in conservative India.

31107 (18). What is the most suitable age at which junior civilians should arrive in India?
—Twenty-five at the most.

Sillos (10). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty "—Between 22 and 24. I think a young man ought to enter the service when he is at least 35. I would make no difference between the age-limits for "Natives of India" and for other natural-born subjects of Jis Majesty.

subjects of Jik Majesty.

21109 (20). On what principle should the
subjects for the open competitive examination
be fixed. Do you coccept the principle laid
down by Lord Macaulay's Committee in 1854,
and since followed, that "the examination
should be of such a nature that no candidate
who may fail shall, to whatever calling he
may devote himself, have any reason to
regest he time and labour which he had speal
in preparing himself to be examined," and that
the object should be to secure, not specializes
in any particular subject that may be useful in
a subsequent Indian career, but the ordinary
well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

Continued.

31110 (21), Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, changes, it any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of university-leaving age?—I do not think any change is desirable in the syllabus now in force.

31111 (22). Is any differentiation in the subjects for the examination desirable between gless for the examination desirable between candidates who are "Natives of India." and other candidates? If so, please state them and give reasons?—I do not think any differentia-

tion is desirable.

31112 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act. 1370 (83 Vict., c. 3), reproduced as Appendices II and III to these questions.] ?—I consider that certain posts should be reserved by statute for officers recruited from the Civil Service in the manner and under the system recommended by me. I think the present number of posts open to the Civil Service ought to be maintained as it has, on the whole, worked well.

31113 (24). Do you consider that a minimum proportion of European subjects of His Majesty proposition of mittopean suppers of the mangesty should be employed in the higher posts of the Civil Administration? If so, to what propor-tion of the posts included in the Indian Civil Service sadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I do to the extent of one-half. I think one-third of the posts, at least, should be reserved for Indians.

31114 (27). Have the "Natives of India." recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial daties?—I think that, barring some exceptions and upon the whole, "Natives of India "recruited by means of open competition in England have proved, on the average, as efficient as the average European members of the Indian Civil Service of the same standing and recruited in the same manner,

31115 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend ?-I do not think it should be revived. It was unpopular and condemned

generally.
31116 [43]. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a pro-bationer's conrise of instruction in England? Do you recommend the continuance or abolition of this system ?—I think, so far as I can

judge, the probationer's course has worked satisfactorily and should be continued.

81117 (44). What should be the duration of a probationer's course in England (a) under the present system of the open competitive examinstion, (b) under any modification of that system recommended by you?-One year at least

31118 (45). Do you consider it desirable that the probationers should be required to spend their period of probation in England at an

approved university?—Certainly.
31119 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—A separate institution is not, in my opinion, desirable.

not, in my opinion, desiranc.

31120 (50). If a probationer's course is continued in England, do you accept the principle
laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?-I accept the principle laid down by Lord Macauley's Committee.

31121 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination and (b) under any modification of that system recommended by you?—I do not think any alteration is needed.

31122 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—I think it is desirable.

31123 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—It is best spent in

England.

\$1124 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against the proposal. I think our your g men recruited by open competition for the Indian Civil Service should go to England and reserve preliminary training by way of probation there. 31125 (55). What is your opinion of a pro-posal that each provincial Government should

arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?-I am not in favour of such a proposal.

10th March 1913.]

31196 (50). In the raport of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1999), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which innior civilians would experience in Learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of actuous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India ?— I agree with the view.

31127 (SS). In particular, if a period of publishion is recommended for such efficient, do you advise that it should be passed in England or in India?—In the case of those recruited either from the Subordinate Judicial or Revenue Sarvice or the Bar I do not think any production is called for. It is only in the case of Indians who are recruited by open competition that I think a two years' probation in England ought to be insisted upon.

31128 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subject of His Majesty? If so, please state the special arrangements that you recommend?—I see no reason for any differentiation.

31129 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Givil Service after they have taken up their appointments in India, I'll not, what change should, in your opinion, be introduced?—I think the present arrangements are satisfactory.

ments are satisfactory. 31130 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I think that there has been a deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The causes are :-(i) The Briton is not a linguist like the German and has got on without a knowledge of the people among whom he serves Government ; (ii) English education has spread more than before and for all practical purposes of the routine of administration, the British official finds that there is no necessity for him to acquire facility in or familiar acquaintance with any of the verneculars; and (iii) the natural proneness of the British official to reserve; the Civil Service has become, generally speaking, a Service of silence and discretion in this country as in England. The result is that there is no incentive to the attainment of an adequate proficiency in the study of the Indian languages. That places the British official at a disadvantage and tells rather badly on the administration and the public weal. So far as the masses are concerned, the British official cannot put

himself in direct touch with them and enter into their thoughts and feelings by being able to converse with them familiarly in their own languages. I am not sure that any artificial remedy can be devised which will make the British official take to the learning of vernaculars, so as to be proficient in them. There is so much to do by way of official duty and to add to it the compulsory learning of a vernacular would be a great burden on one who has no aptitude for such learning. The incentive must come from the official himself—his consciousness that as servant of His Majesty, he must move among the people, learn to talk to them in their languages and it is only in that way that he can get to their soul and learn what is going on inside the outward show of Indian life. But, how will this incentive and consciousness come, when to young Englishmen preparing for the Indian Civil Service the doctrine is preached as it was preached the other day by the Head Master of an English public school that the Englishman has maintained his hold on India by his spirit of atoofness? Such sloofness, perhaps, did not mean much in days gone by. But the conditions of life in India are changing, and alcofness in the name of dignity and reserve, carried out as a principle of administration, is fraught with danger, and the doctrine I have referred to is the most dangerous nonsense that could have been drilled into the minds of young Englishmen starting for life in India as the Civil Servants of His Majesty

31131 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?

I would not recommend any changes. 31132 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In my opinion, no steps need be taken. I do not see why additional expense ought to be thrown on the revenues of India by enabling a member of the Indian Civil Service to go on leave to Europe to study law and become qualified for the Judicial Branch. India has produced and can produce capable lawyers and if a member of the Indian Civil Service wishes to get into the Judicial Branch he ought with his general culture and with a love for the study of law and the cultivation of the legal habit of mind to be able to become an efficient Judge. And it is such men only who ought to be admitted into the branch.

3113 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch 2-What is wanted is a grasp of legal principles, a study of the general principles of law and as for the rest such as procedure, they are easily studied and come by practice.

and come by practice.
31134 (66). Do you recommend any special
training in subordinate judicial posts for

continued.

officers selected for the Judicial Branch ?-If

so, please give details? - No. 3135 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?-No.

31136 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

#### Sir Nahayan Ganesh Chandavarkar, called and examined.

31187. (Chairman.) You are a Judge of the High Court of Bombay ?-I am.

You think that, as a matter of principle, 31138. it would be a sound thing to institute simultaneous examinations, but you feel there would be a danger, if such examinations were instituted, of Indians inundating the Service and so diminishing unduly the British element ?- That is so.

31139. In your view a further opportunity should be afforded to Indians of entering the Service other than that provided by the present open

examination in London ?--Yes. 31140. You think that Indians should get not less than one-third and not more than one-half of the posts in the Indian Civil Service ?-I do not know that I have said more than one-half, but I have certainly said that at any rate the time has arrived when you might fix the minimum limit at at least one-third having regard to the improved condition of things all round.

31141. You say in your answer to question (24) one-half, but you say now about one-third?—

Yes, that is a rough limit of course. 31142. This proportion of posts you would fill partly by recruitment through open competition in England and partly by appointment from the Bar aid from the Provincial Civil Service?-That is a suggestion I have made. I cannot say that it is perfect or that it is without defects, and there are other alternative proposals

which perhaps might be sounder.

31143. If this scheme were introduced you would abolish the listed posts?—I have not studied that question sufficiently to be able to give a satisfactory answer, an answer of any

value.

31144. You do not speak with any emphasis on that point?—No, I cannot do so. If by the listed posts is meant the posts now generally held by the Civil Service I certainly think no change should be made.

31145. To what grades of the Civil Service would you make appointments from the Bar and from the Provincial Civil Service ?- I would catch the men young as far as possible and make them begin from Assistant Collectors in the case of the Revenue Service and Assistant Judgeships in the case of the Judicial Service

31146. To what grades in the Service would you allow them to aspire ?-The highest posts, gradually.

31147. Would you regard them in every sense. both as to pay and status, as in the same position as those who entered through the London door?— I should make no distinction at all.

31:48. Do you think that officers recruited in this way would be regarded by their fellow-officers in the Service and by the public generally as occupying the same position and status?—If they have espacity, mental, moral and physical, and have proved worthy of the office, I think no distinction is likely to be made as far as the officials are concerned, although there may be a certain kind of prejudice. Speaking from my own experience, with regard to English officers, when they once find that a man is worthy of his position and his ability and character in the long run he can get treatment on terms of equality. There will always be prejudices of course, but they are soon got over. It will all depend on how he behaves and how the English officers behave. As far as the public is concerned, I think too much is made of the question of how the public will take it. If the public finds that an officer has grit and ability, which is all the public cares for, the public will be satisfied. All this talk about the public regarding certain men who have not entered into the Service by competition as not being equal to others in my humble opinion is all moonshine.

31149. You think that the Service and the public very soon forget the origin of the civilian and judge him by his actual work?—Yes. I think the Indian people, the masses, in spite of all that is said about their respect for hereditary, rank and caste, and all that, recognise a man of ability, and if he does his work honestly and well they feel his power and recognise it, whatever way

he has got into the Service. 31150. You object to the proposal for a separate examination as distinguished from a simultaneous examination in India?—I cannot give a decided answer to that question. What I have said is that simultaneous examinations in the present circumstances would not be acceptable; they would not be proper on grounds of political expediency and also on the ground of the state of the country. We want a preponderating element of the British official. Your grit, your decision of character, your organising power, are things in which we are still wanting. On the other hand, you want in the administration a proper element of the Iudian official of the character that can see things, the spiritual and social forces of the country, from the inside, men who have not developed the departmental mind, and I think the time has arrived when you can get a due proportion. One-third of such men can be found if Government will go and reek them in a proper manner instead of running about with fancies about heredity and things of that kind. That is the principle with which to start. If that is so, I think you could have an examination or pick out the best of our Indian graduates best in point of physique and character and talent, and I think you could easily find such men.

31151. I take it, I am accurately interpreting your view when I say that you are opposed to a simultaneous examination because you have an apprehension that if such were instituted the European element, which you regard as important, might be seriously reduced?—That is cortainly

a possibility and might almost be called a probability.

31152. You set store in all you have said on the character, of course combined with educational efficiency, of the officer ?-Yes,

Continued.

31158. But as to the means by which you obtain that class of officer you are prepared to look upon them with an open mind?—Quite so; you have expressed my opinions very accurately and tersely.

31154. If a scheme of examination in India were devised, which would produce that class of man, and at the same time give you the security for the European element, would you look upon it with favourable consideration?—Certainly.

31155. You are not in favour of separate recruitment for the Judicial Branch?-No.

S1156. And you think that of late years civilians appointed to the Judicial Branch have proved capable as Judges?-Yes. Of course I am speaking only of my experience of Western India; I do not speak for the whole of India at all. know what the condition of things is in Bengal or Madras. In Western India I certainly think that the Judicial element has proved more satisfactory

than it was about fifteen years ago. 31157. From your observation and experience otto: arom your observation and experience do you think the education that a civilian obtains in the Revenue Branch proves of Service to him when he enters the Judicial Branch?—Certainly; having regard to the character of our land tenures and our village customs I think that experience is

of great importance. \$1158. - We have had a great deal of evidence before us in the form of different schemes for training in the Judicial Branch. You suggest that before officiating as a District and Sessions Judge an officer should have had experience

of original suits for one year ?-Yes.

31159. And you do not consider it necessary for him, prior to his taking up the more responsible position, to go to England and read in Chambers?—Speaking from experience I have found that civilians who have studied in the Inns of Court or who have been Registrats in the High Court—both of which methods have been regarded as giving special qualifications in the Judicial line—have proved, some of them, as useless as if they had never done anything at all. All depends on the kind of man you get into the Judicial line. If he makes it merely a perching place, and has no heart in the work, and merely takes that branch because he thinks it gives him repose and frees him from the trouble of going about on tour, such a man, whether you send him to England or make him a Registrar of the High Court, is as bad as ever. But where a man has a real love for har and regards it as a profession to which he can devote himself with enthusians he proves as good as any other judges. Bash hind of judge has his strong points and his weak points. My own opinion is that if you want to get an ideal Judge he must puse an examination in har and must have prached by wrestling with cases in the Courts, which practice enables him to come into confact with hitgainst directly and to see whose the recognity is and tenis him to look at. law and regards it as a profession to which he where the regnery is, and trains him to look at a case from all points of view. But that I suppose cannot be expected, and under the special conditions in this country you want Judges from the Bar and Judges from the Civil Service. When I speak of the Bar I mean both those who come out as Barristers and those who are Pladers. In that way you get a nice embination of what I should call the chirir of administration.

think that all the practical 31160. You experience for the class of officer you have described can be obtained in India without going to England?—Some of our best civilian Judges who have left their mark on the legal lite-rature of the country, such as Sir Maxwell Melvill and Sir Raymond West, never really practised, and I think, they proved excellent Judges and are remembered even now. I have come in contact with civilian Judges who were as good as Barrister Judges. I am not quite satisfied that this sending young civilians who want to enter the Judicial line to be trained in the rooms of a practising Barrister will do any good. I do not want to pool-pool the idea, but the expense is hardly worth incurring. After all, what is the character of our mufassal district litigation? It is not of a complicated character. When you get cases like those under the Workmen's Compensation Act, cases which are the puzzles of lawyers in England, you may think of all this, but, in the present state of our litigation, I do not think these high-flown schemes will do any good. Have men in the Judicial line who love the law and who do not regard it as rough commonsense and treat all legal principles with contempt, and you will get the best of them from the Civil Service, especially men who have had good culture at the Universities. 31161. You would suggest, I suppose,

additional training in law during the probationary period ?- Certainly. As I have said in my written evidence, there was a time when the principle apon which civilians were drafted into the Judicial line in Western India was regarded as the model for the whole of the country, and Sir James Stephen I think mentioned it with approval in one of his minutes written in 1872.

31162. You propose to recruit to the Provincial

Service by open competition?—Yes.
31163. You do not desire to see any form of nomination combined with the examination?-Nomination, ideally, theoretically, would be the best, but unfortunately, nominations have proved the bane of India. Whenever we have asked for higher appointments the Government has gone in for nominations, in the first instance on the principle of hereditary distinctions or something of that kind. Men have been selected because they were the sons of their fathers or the grandsons of their grandfathers, and this doctrine of heredity has been the bane of the administration, has mus seen one same or the alministration, has promoted discontent, and has demoralised the Service. The only consolation is that whenever it has proved a failure Government has itself acknowledged it and gone in for nominations on a satisfactory basis. But that is the scare-crow of Indian administration. Therefore, I say, that all appointments to the Provincial Civil Service ought to be made by means of a competitive examination which will do away with all scope for favouritism and so on.

31164. Would you suggest that in place of nomination you should have some qualifying test such as that caudidates should be graduates of a University?—Yes. I think it practically comes At present, I do not see where you can go and find a man who is a non-graduate, because non-graduates are so few. There was a time when there was a big row made about graduates. For instance, about 1863-64, our best graduates were appointed to some high Revenue offices and there vas one, Mr. Vishou Ranade, who was appointed Deputy Collector all at once, without climbing up,

10th March 1913.1

Continued.

and he proved one of the best of our administrators. He was a man who had the grit of a British officer, and he was put in the Sholapar District and coped with a problem which no officer before him could cope with. There was cholera in the district and the Temple had a very narrow gate, ard no officer had ventured to issue a mandate that the door ought to be widened. But he took the risk on himself and said he would chance if there was a riot. Attempts were made to have an injunction issued against him, but he steed nave an injunction issued against nim, but he steed his ground. The matter came before the High Court and the High Court upheld his action. Mr. Watt, who was then one of the ablest officers of

one." You can have material of that kind. graduate is certainly preferable to a non-graduate.

31165. I take it that very few are cominated to the Provincial Civil Service now who are not graduates?-I cannot answer that question offhand. I believe more graduates get in, but that

the Civil Service, paid him a compliment by saying in effect: "If we could get Indian officers

saying in effect: "It he would be a very happy of this kind the administration would be a very happy

is only my impression. 31166. You would confine this open examination for the Provincial Service to residents of the Province ?- No, I would allow people outside the Province to commete. I do not see why there should be any distinction made between one Province and another; that is antagonistic to the very principle of British rule. If you have come to weld us into one people, I think that to say the Bengali must not go to Bombey or the Bombey man must not go to Madras would not be in accordance with ruling British principles. I set my face against that kind of thing.

31167. Apart from principle, do you not see any practical difficulties in the way of officers from other parts of India coming to Bombay and vice vora@?—No. If they have character and talent and are men of wide culture they will easily adapt themselves to the conditions of the country. In spite of all our differences of caste and orded there is a certain element which makes the Hindu, the Muhammadan and the Parsi recognise one another, especially under the present influences.

31168. Do you think, as a matter of fact, that many candidates would come from other Provinces?-In the course of years they might

come, but not in the beginning.
31169. You would welcome it if they did come?-I should most certainly welcome it. I belong to the whole of India and my countrymen belong to the whole of India whatever they are: that is my ideal. I may stand alone in it, but that is what I consider the purpose and mission of British rule in India. If it strays away from it, all I can say is that we shall have to revise our

31170. (Sir Theodore Morison.) I should like to ask your advice on the subject of the training which you would give the young Indian officer who has got into the Indian Civil Service by one of the methods which you have suggested. Do you think, generally speaking, it is an advantage for him to come to England?—There was a time when I thought going to England was an advantage, but I am not in favour of it now, because I am not quite satisfied with the work which has leen turned out and the results that have been achieved by men who have returned from England.

That may be on account of my old age and conservative ideas coming over me. I think we can produce as good material in this country as the class of men who go to England. If I advocated going to England it would only be for one reason, namely, that it would slowly break down caste; but even the men who go to England come back and get into caste again and are as caste-ridden as anybody else. What is the use of sending them to England? If we read your literature, and if we have the visionary power, we can. I think, shine honestly from our solid virtues rather than merely with the glitter of the West.

31171. I suppose you would recognise that some of those who went to England a generation ago did derive some henefit from it ?-Yes.

31172. In later years, perhaps, not quite so much?—The number of Indians who go to England has increased and they do not get into the best English homes and do not see the best of English society and do not come into contact with the real manhood and womanhood of England, the real spiritual and social forces. They see only the outward controversial things; they read the newspapers and catch their impressions, and I am afraid that has a deleterious effect. If you can devise a means whereby our Indian lass could be brought into contact with the best religious and social forces of your country that would be a capital thing

31178. Looking at it merely historically would you say the more forceful and original characters in India in the last generation have been persons with an education obtained in England or an Indian education? - I cannot say, I think our best leaders have been men who have not been to England.

31174. On the whole, the leaders of the cople who proved most original and most force-

ful are men who did not go to England?—Yes. \$1175. That may be true of the dite, but we are not sure, of course, that we shall get the elite, and we have to think of the average. Do you think that for the average man a training in England raises him slightly above the average of his con-temporaries? - Do you mean raises him himself

or in the eyes of anybody. 31176. Raises him himself?—Certainly, it might, provided you get all these things that will enable the lad to see the best of England, and I mean by the best of England not the social frivolities and political controversies but the real

home-life. The serious side ?-Yes.

31178. The better minds?—Yes, 31179. I believe you have been for many years Vice-Chancellor of this University?—I was Vice-Chancellor for three years and eight months. 31180. In that capacity did you have the

selection of the students who obtained Government scholarships?—Yes. 31181. Is that method of selection fairly

satisfactory?-The word "satisfactory" is rather vague I think, and I cannot answer that question because your idea of satisfaction may be different from mine.

31182. Are you fairly pleased yourself with the selections that have been made?—I think that on the whole they have been good, because I believe the men have been selected, after careful examination of their mental, moral, and physical characteristics.

Continued.

\$1183. Some of these other pre-conceptions 'to which you referred certainly have not entered into the selection in that case, have they ?-No.

31184. Do you think that the Syndicate, or whatever body it is that makes the selection in your Universities, is on the whole a fairly satisfactory and impartial body and able to get at the facts?-I think on the whole we have selected the men impartially, although one is apt in this country, as in every other country I suppose, to be pestered by people who say: "Will you vote for me and send my son." One has to be above that kind

of thing. 31185, 31185. When you were sitting upon that Board did you feel that you were able to get at the facts and realities of it?—I do not think that we closely examined into all the conditions of the boy selected. We used to take the marks and see how he had acquitted himself in each of the examinations, and generally we used to select the

boy after, as it were, striking an average.
31186. Did you have some information about character ?- We used to get certificates and all

31187. I was wondering whether there is there a nucleus of a possible method of selection not open to the objections to which you refer, and which would not inflict another competitive examination?—You might appoint for the purpose a Special Committee consisting of the best men from amongst our European and Indian officials.

31188. Supposing it were left to the Universities of India?—I would not leave it to the Universities for the reason that they would be a large body; I would rather have three or four on a Committee who could make private enquiries and who could be thoroughly trusted and who would be above all private influences. Such a Committee would work better than a body like the Syndicate or Senate.

ane symmets of Senate.

31189. You include the Syndicate?—Yes.

31190. In reply to question (8) you have not given answers at much length, and I should like to know from you something on the question of holding the examination in other centres than London or India. A proposal has been put forward that the examination might be held at Melbourne, or Toronto, or Cape Town. I think, I know, what the answer would generally be, but I should like to have the expression from you of what would be the Indian sentiment about such a proposal ?-I do not think it would be of any use to us

unless you bring it to India. 31191. It would be unpopular?—It would be as unpopular as it is now, and it would not mend

matters at all.

31192. Not only would it not mend matters but I should have thought it would have been received in India with very great disapproval?-As far as the Colonies are concerned, I do not think the Colonies are much in favour with our people just now.
31193. (Mr. Chanbal.) With regard to the

listed posts, from your answer to the Chairman Trather thought that you considered the expression "listed posts" meant posts in the Civil Service cadre?—I said I had not gone into the question, and I might have misunderstood it.

31194. Listed posts is an expression which connotes two appointments of headships in the Judicial line, which are left open to the Provincial Service. Those four posts are called the listed posts, and I think the question was whether under your scheme of the one-third you would abolish those posts, or whether you would merge them in your own one-third?—I would merge them in my one-third.

31195. With regard to the nomination for Government scholarships, the difficulties of nomination become much wider and larger if the body of persons to be selected from is large. It has been suggested to us that boys should be nominated here before they are permitted to appear at any competitive examination. suppose you would not believe in such nomination?

No, I do not believe in that sort of make-shift.

31196. Assuming, for the moment, that any scheme of sending Home Indian boys is accepted. do you believe that it will be possible for any Board of Selection to pick the right material at the ages of 18 or 14 ?-I do not think so, and I am quite against that proposal of sending boys at 14, will be a disastrous failure, as it has proved a disastrous failure, in the case of young men I have come across who had been sent at 14; they have been the wreekers of their homes, a grief to their parents, and of no use to the country.

31197. As regards your proposal of baving one-third of the Indian Civil Service from the Indian element, which you think can be done without in any way jeonardising the interest of the administration, so far as the Judeial Branch is concerned you have no fear that a sufficient proportion could not be obtained at present from the Bar and the Provincial Service? proposal was that one-third of the Civil Service may be profitably recruited from the Bar and the Provincial Service, and it has been said by some witnesses that you will not be able to get the proper number of practising lawyers to accept District and Sessions Judges places. Do you be-lieve that?—I do not believe it. I have made that proposal for this reason. At present, our Sub-ordinate Judges, our Mamlatidits, our Deputy Collectors, and Members of the Bar, have nothing higher to look forward to, and that is one cause of the discontent. If they have something to aspire to, I think you will get the proper material.

31198. There will be no complaint on the ground that you have not the men?-No.

31199. There is one question on which I anti-cipated you would be able to give us some useful information, but I find you have not answered that question. Roughly, may I ask what is your opinion about separating the Executive and the Judicial functions in the Magistrates?—I believe in Bengul and in other places the problem perhaps is much more acute than it is here. In this Presidency, I think things have improved. I was myself an advocate of the separation of the Judicial functions some I5 or 20 years ago, but after having sat in the High Court and done work as a Judge on the Criminal side for more than six years, and after looking into the Criminal cases and all that, I have come to the conclusion that the only danger at present is that sometimes, perhaps, when the Assistant Collectors go about on tour, Pleaders and litigants have to follow in their wake, and much inconvenience is caused. But even as to that I think the evil is less than it used to be

31200. I should like you Sir Narayan, if it is possible for you to do that, to forget for a moment your experience as a Judge and recall your experience as a Pleader. I want you to put aside for a moment the impressions you say you have formed,

continued.

since your elevation to the Bonch about cases that have come before you and to try and remember whether, while you were a practising Pleader, you whether, while it was a living greenance on the part of the public, the litigants, and the Bar, that First Class, Second Class, or Third Class Magistrates should be trying certain cases which it would have been better to have had tried by Subordinate Judges or other persons not in the Executive line?—Yes, I should certainly think that was the feeling, and I believe that feeling is also there now. Por instance, I have heard Magistrates sometimes complain that if they acquit any case in which the District Magistrate takes a strong interest they are liable to be reported.

31201. That feeling is still there?-Yes, but I may say the fear is much less than it used to be, because the High Court has given the District

Magistrates a wigging from time to time. 31202. All these cases are not likely to come to the High Court ?-If one or two cases do come I think the High Court exercises a very beneficial influence. But as I say, the fear is there. If there is a separation of the Judicial and Executive functions certainly we should all desire it.

\$1203. At one time you studied this question about the separation, I believe?—I studied it as I studied many other questions.

Do you find the body of the Subordinate Judges are a very good body?—Excellent, 31205. Do you think that the character of the criminal work is likely to suffer if it is handed over to them?—Certainly not. I must explain myself. Subordinate Judges, first class, were invested with Magisterial powers during the famine period, and I think they did very well. I was myself looking after their work as one of the Criminal Judges, and I know there were complaints that some of them were weak. But the words "strong" and "wesk" depend upon the character and the temperament of the man who uses them. Some people consider that officer a strong Judge who always suspects frand, who thinks every Native is a liar and that perjury is rife, forgetting that perjury is as rife in the Randish Contras as it is hare. I shink Schooli. English Courts as it is here. I think Subordinate Judges have proved as successful, and are capable of proving, perhaps more successful, than the Magistrates whose knowledge of Law is

merely of a rough-and-ready character, 31206. You subscribe to the belief entertained by some that, under the present circumstances, although the instances might be less, the Magistrates are supposed in some cases to decide with an eye on the way in which their Executive superior officer will regard that decision?-That is a question which I cannot answer, because I have not been myself in the position of a Magistrate, and I do not like to answer any question that proceeds upon suppositions. There is a fear of all that. I suppose, there are men who think that even the best Judges are influenced. If you that even the best singles are influenced. If you give a decision in favour of Government you are supposed to be a pre-Government man. If you give a decision in favour of a popular man, you are supposed to be a popular man. I have never cared for that sort of thing. All I can say is, that the property of the property come to me and said they have been reported against, and all that, and I have said: "That is a thing to which every man is liable, but go on and do your duty and everything will come straight.

· 31207. You stated in reply to the Chairman that the early experience of a civilian in the

Executive Branch is of great use?—Yes. 31208. But would you say that not having that experience was a great disqualification in the men you are speaking of as capable of being recruited from the Bar?—No.

21209. Or from the Sabordinate Judicial line?—As I said, you want in the present circumstances of India a combination of all the elements.

31210. It has been put strongly to us that a Barrister would be incapable of being a good Judge because he has no edministrative experience such as the Indian Civilian has, in the early year of his service?—I think, with all deference that

that is flapdoodle.

31211. So far as your experience goes in this "Presidency of Subordinate Judges not having such experience working as District and Sessions Judges, it could not be said that their work showed want of experience in the Executive line or that there were signs that their work was not so efficient because they had not had experience as Assistant Collectors?—No.

31212. (Mr. Gokhale.) Some confusion has been caused in my mind by your answers to the Chairman on the subject of simultaneous examin-ations, and I should like to have it cleared. These answers seemed to indicate that, on the whole, you yourself were against simultaneous examinations, whereas your written statement reads as though your view on the whole was in favour of simultaneous examinations, but that you recognise the force of the objections on the other side and, therefore, suggest an alternative scheme. Which would be the more correct way of putting it ?-I think the time will come when simultaneous examinations will have to be introduced, but it has not come yet, and I recognise the objections on the other side. As I have said, I want the British element to predominate.

Assuming, that simultaneous examina-31213, tions are to be granted, is it to be understood that you yourself are definitely and decisively against their institution?—I think, I cannot make it more clear than I have in my written answers; I cannot put it in better language than that. It was the best language I was capable of and I thought I bad made myself perfectly clear. I do not think you can get from me a more decisive answer than that

31214. I gathered from your replies to the Chairman that you were yourself against simultan-eous examinations?—I must leave my judges to gather what they like, I cannot commit myself to anything more definite than that which I have put

into language.
31215. In your evidence before the Commission of 1886 you had expressed yourself definitely in favour of simultaneous examinations?—Yes, but I have grown since then. I have not lost the ideals of my youth, but I have tested them by experience and, therefore, I have given the view which I have

31216. You spoke of the swamping of the Service by Indians as being a probability?—I say almost a probability. I said certainly a

possibility.

31217. Do you think it almost a probability. when you consider the syllabus for the Indian Civil Service and the educational facilities that exist in this country at present?—How can one answer more, definitely than I have done? If it is a fear it is. enough for me to hear that in mind. It is one of.

Sir Narayan Ganese Chandavarkan.

the important elements, but I do not know that I can call it a certainty or probability or possibility or anything. There it is; it is one of the objections.

31218. Some of the best clausational experts have expressed an opinion that it would be almost impossible for a good long time to come for Iudians to get in in large numbers ?—All I can say it that I can bear the burden of the opinions but I cannot bear the burden of the opinions of other educationalists. I may be

3320. Is your opinion based on a considention of the syllabas of the Indian Cvil Service and the syllabas of the Indian University examinations?—If you can be introduce simultaneous examinations, there is exough material savinged our young men to come out very high. Whether in point of other qualities we could or not I do not any, but intellectually, I think, we could. We are steadily at another.

31220. I must ask one or two more questions on this beames special importance is likely to be attached to your opinion as an ex-Vice-Chanzellor of the Bombay University. If you look at the Indian Civil Service syllabus you will find that it is about equal in difficulty to twice the M.A. of an Indian University Y—Yes.

31221. And the young man who appears for the Indian Civil Service must pass that aramination between 22 and 24?—Yes, but we will adapt ourselves to those conditions. Apart from the University curriculum, boys will be brought up in that way.

31222. Where are the facilities?—If you ones oreste the ideal, people will run after it. I think India is strong enough to devise means to come up to it.

91223. That is rather vague?—The questions are vague and I must answer them vaguely.

31224. How are the young men who want to go up for the Indian Civil Service, and who have to pass an examination toins as difficult set M.A., to find educational facilities in this country? Where can they acquire this electric ?—I suppose the educational agencies will be forthcoming.

31225. You think so?-Yes.

31226. Unless Englishmen come from England to coach them, how is this to happen ?—A man like Mr. Paraujpyo will do, and I think we have got men of that kind. They only want the opportunity to come out and declare themselves.

31227. But, Mr. Paragipye's opinion is precisely opposite, namely, that the material does not exist in this country?—I think he is a little too modest about himself.

31228. With regard to nomination, you expressed as strong a condemnation of the system of nomination as arrows has expressed before this Chimission so far as the Provincial Service is concerned P—I have already explained my grounds. I said these gentleans should get into these offices in order to prevent discontent and to give them something to look for.

31229. But, you practically seem to favour the method of nomination in the case of the Indian Civil Service?—Circumstances after cases.

S1230. If nominate and the Provincial Service, it cannot be good for the other?—It is not bad all round; it may be good in one case and

had in another. It is a good thing in the Provincial Service but in the higher grades you have to test experience and see what kind of man he is. In the Subordinate Judicial Service and in the Rovenne Service the men have been tested and you have a certain standard to go by.

° 81281. Do not you see the risks?—There are risks all round.

3132. Therefore we must devise a sebano which will be free from risks as far as possible?—I have already said that I put it forward meetly as a tentative suggestion. There may be better suggestions. I am not vain enough to think that my proposal is infulfible, and I see there are objections to it. I said that in answer to the questions defined that the master to the questions of the Chairman. I have also said that nomination was bangled in this contart?

allers. At present, the number of vacancies annually officed to the Iodian Civil Service is roughly between 55 and 60, we will say 60. You want at least neachind of tases to be given to Iodians, which means twenty. Taking the average for the last hay reast, you will faint that about three Indians get in by the London door. That means still I'l phase will have to be filled in Iodia, and still I'l phase with a two to be filled in Iodia, and still I'l phase with state of the Iodian door. That means that the means, what encrease power will be thrown into the lands of the Receiver's—Too mean the proportion must be larger than I have suggested?

\$1234. No. If 17 places a year are to be filled by nomination, either from the Bar or the Porvineal Service, all the erisk that you anticipate in connection with nomination in the Povincial Service are bladle to appear here in a greatly intensified form ?—I have already said that nomination has its evils, but if it is carried out in the right spirit it will be the best made.

31285. You know how the Statutory service was nominated?—Yes. If there is a better scheme by examinations or sending young men by means of scholarships to England I would go in for it.

31286. You said in your answer to one of the questions that you would have a minimum of onathrid of Indians. You think you can lay down a minimum for Indians consistently with the Statute of 1833 7—A minimum to begin with IF you are approaching towards the ideal it is not an evasion at all.

31337. On the other hand, can you lay down a minimum for Europeans under the terms of became statute?—A minimum that will change you can, but if you make it an irreducible minimum that will be clearly an evasion of the statute, because the law says you cannot do indirectly what the law says you cannot also indirectly what the law says you cannot also directly.

3123S. You cannot lay down an irreducible minimum for Europeans under the statute?—No, that would be clearly illegal.

\$1239. (Mr. Sig.) I think you suggested that it would be desirable, if possible, to recruit the Provincial Survice not necessarily from residents of the Province but from the whole of India?—Vec.

31240. Is that opinion of yours one which you wish to see translated into practical effect at the present time, or is it an ideal that you hope to aim at when India becomes more consolidated?—It is my ideal.

31241. Do you at the present time wish to have that rule in force in the Provincial Service? 10th March 1913.]

-I should, as far as practicable, like to see it

recognised.

31242. Do you not think that practical difficulties would arise in inducing officers to serve in different parts of the country in the Provincial Service?—Where there are practical difficulties an exception might be made.

31248. Take your own Province at the present time: is it not extraordinerity difficult at the present time to get Mahrattas to go and serve willingly in Sind?—I am not a Sindi.

31244. I know you are not, but do you know whether, as a matter of fact, in the present Provincial Service it is only with conficult opposition and difficulty that Mahnata officers are induced to serve in Sind?—That is so.

81245. If you had a system under which they were recruited from the whole of Inidia would not those difficulties would vanish in course of time, because I think we are becoming accustomed to this, and that prejudice is wearing out. Stad stands in a petaliar condition. The Sindi cannot acquire the Mahmutti angauage, but between Mahmutti and Goiyrati I do not think the difficulties are so great as that. If I were to proceed upon high principles I should advoord that, Since you spake of my Province, Ranza, is perimpia a more difficult position than any, because the people of my Province from the difficult to give amplyment, as the Mahmutta gran, we cought all to regard the whole of Lodia as gran, we cought all to regard the whole of Lodia as gran to see that it is beautiful to give any of the contract of the people of my Province from the contract of the people of the Sindia than any, because the people of my Province go into all the districts. I think great in the large run, we cought all to regard the whole of Lodia as open to all. I should be an open door.

31246. In the long run?—In the long run, of

31247. I think you have taken a considerable part in the public movement for the removal of easte prejudices and restrictions so far as that is possible ?—Yes, I have taken my part, but I will not say a considerable part.

31248. Can you tell us whether from your experience of that work theredo or do not exist easier and read differences in India which the Government would or would not have to take into account in the recruitment of their Services?—Von mean reproportionate representation of castes in the Offices?

31249. In any method that might be suggested, is it a matter that should be taken into consideration by Government?-It ought to be taken into consideration, but in a sober manner. In this country it so happens that everyone of us is easteridden; everybody has his caste; every institution becomes a caste. On the other hand, you must remember that caste distinctions are gradually losing their force and educated people especially are coming to recognise that this caste has been a big stumbling block. I know there are tremendous differences still and tremendous opposition, but I think the administration ought not to countenance caste distinctions. I am quite prepared to say that in the case of the Indian Civil Service or in the case of nominations you must see that all the classes are as far as possible represented. At present, speaking of Western India, the three prependenating castes are the Chitraven Brahmans, the Sansswat Brahmans, and the Kayastha Prabhus, but let it also be remembered that the other castes are coming up, especially the Mahrattas. I have moved a great deal amongst them and seen the spiritual and social forces at work, and I think within the next few years there will be a goodly. number of men who will be prepared to take their share in the higher offices and this caste difficulty will be sattled

Continued.

31250. The educational disparity at the present time is extraordinarily marked, is the off—I do not think the word "extraordinarily" is an apt one. It is certainly great. Those when we call the lower classes—I do not all them so myself—the depressed classes, and so on, are coming up, and the movements for in betterment of these classes are not nucly led by themselves better led by the contraction of the contraction of the contraction of the classes are not nucly led by themselves better led by the contraction of th

Jista the Muhammadane have come out, I think the other cleases are also oming out.

31251. Taking the educational statistics of the last census—and for our purposes all we need consider is the percentage of langlish-thoughing men in the casts—so far as I can see from those statistics there are about six per count of the Bushman community returned as Bagisish-knowing, while the Mcharta community had simply '11. So that as far as the statistics show the present disabilities of other communities are extensely large?—Yes, but I say that there is an awakening, and the so-called highest classes have waviered that force which in the next twenty years I feel and hope will assert itself, and that will be good for the country.

31252. But it must take at least another generation or two before that can happen, must it not?—Yes.

31253. With regard to the Judicial Service, you have given an opinion with regard to the work of civilians in the Judicial Branch. Can you tell not from your experience as a High Ceart Judge whether the civilian Judge shows ignorance of Indian life which depreciates his utility as a Judge? We have had evidence that the civilian Judge is a failure and should be sholished because he shows in his Judicial work ignorance of the conditions of Indian life—I am certainly not of that opinion. As far as a Buropen can know our life J think the civilian is the best. It may be be does not see things from the inside as we can, had as far as the outsider can see I think he has a creditable sament of knowledge.

3125. Thun we have had the option given to ut that the civilian Judge lades the power of appreciating ovidence. Do you thank that is a disability from which the civilian Judge softes?—I is very difficult to answer question of that kind because people's ways of appreciating evidence are to very different. But so far as the appreciation of widence is concerned, I have often beard Rarrister Judges spoken of as people who are very good in Law but not very good in appreciating evidence. I believe as a class the civilian Judge-is not inferior to the Barrister Judge or the Pleader Judge in appreciating evidence.

31256. Prom your Judicial experience can you tell us whether perjury is more rife in cases heard, before civilian Judges than it is in cases heard, before civilian Judges than it is in cases heard before the other Judges F—I think a many who perjure himself does not errow whether he is before a European or an Indian. Sometimes, where the question of custom is under consideration, an Indian witness might rather like to deserve a European Judge, while he would be familed of an Indian witness might rather like to deserve a European Judge, while he would be familed of an

feontinued.

Indian Judge because he would know that he

would be soon exposed.
31256. With regard to the question put to
you about the separation of the Judicial and the
Executive, can you as a Judge inform us whether Is the present combination of functions does or does not lead to any appreciable amount of injustice?—
I do not think it leads to an appreciable amount of injustice, but as I said in my answer to Mr. Chaubal, there is the fear amongst the public that if a Revenue officer, who is also invested with Magisterial power, is not pleased, it might get him into difficulties. It may be a wellget him into difficulties. It may be a well-grounded or ill-grounded fear, but the fear is derived from the old days when I think there was much cause for it. But now we have a better public opinion, and even District Magistrates are afraid a little, because when they do make reports about Magistrates having acquitted people who ought to have been convicted they know the higher authorities will not allow that, and as soon as the High Court comes to know of such a thing as that they sit upon both the Executive Government and also on such officers.

31257. In the cases that come before you as a High Court Judge do you find that there is or is not any appreciable amount of injustice ?- I cannot

say there is an appreciable amount of injustice. 31258. We have heard that combination of functions criticized particularly in regard to the administration of the Criminal Law in regard to forest and excise offences, in which it has been suggested that the Government officer was peculiarly interested in securing a conviction. Have you had any experience of that class of case?—I have had experience of that class of cases. In the old days there was I think that sort of thing, but I believe things in that respect are improving.

31259. Can you give us any idea of the number of cases of that kind that occurred?— There was a time, ten or eleven years ago, when these forest and A'bkari prosecutions used to be more frequent than they have been of late. During the last three or six years there has been an appreciable reduction in cases, coming up before the High Court.

\$1260. Are you aware that there has been in that particular matter a great change of Government policy in the last few years in the matter of disforesting certain blocks in the Decean, where the question was most acute?-Yes, the policy has

been much more liberal.

31261. As a matter of fact from the statistics I have been able to get I find that the total number of forest offences for the past three years is only about 3,000 out of a total of 285,000 Criminal cases in the year, or just about 12 per cent. of the total number of Criminal cases in the year. you consider those statistics to be reliable?-I have been myself agreeably surprised to find that this class of cases has diminished in number during the

last four or five years.

31262. (Ifr. Macdonald.) I should like to get your opinion a little more on the point of Indian students going to England. I think you said you had somewhat changed your opinion about that and you were not quite sure now that it is of such great value to the student ?- I think I ought to great value is observed to the control of the great should go to England and see the best of English life, But the question is whether they do see the best of English life, whether they come in contact with the best living forces, whether the opportunities in that direction are increasing, or whether they are falling more in the way of temptations and so on. I do not know, and it is on that account I have

revised my opinion. 31263. What you mean is that if a young man is sent over to England merely as a student it is very doubtful what the result will be?—Yes.

\$1264. If he goes over as a sort of friend to be taken into our best homes, not morely as a visiting outsider, then Buglish influences are very good for him?—Certainly.

31265. In exactly the same way I suppose you would say it would be very good for an Englishman to come to India and he taken into the Indian home and see you at your best?—Yes, and much better for us because English education is

the best education for us.
31266. We have had evidence from educationalists on this point that if we have simultaneous examination we destroy the system of Indian education, that we bring crammers in, and contort the curriculum of Colleges and Universities, What is your view regarding the opposite: - The effect on the development of indigenous education in India, of the state of mind that always dreams that Indian education must be supplemented by English education?-It must be supplemented ]

Signal addition of the supplemental 1 think by English education.

31267. Do you mean that you can never have a College and University education in India that can be self-contained even under Western influences

here ?-You can have it, I think.

31268. If in the development of Indian education it is always assumed that for the purpose of occupying high and responsible positions in the State the Indian student must go to Oxford, Cambridge, or London or anywhere else is that good or had for Indian education itself?—I

think it is good, certainly. 81269. To that extent Indian education can never be self-sustained ?-Not for the present, The more we see of what is being done in other countries the better it will be for us. It is this position of self-contentedness and self-containedness which has been our bane in this country, and the more, we are expatriated, the better it will be for

us, so that we may see the best of other countries.
31270. I think we are a little bit at cross purposes. Do you say that in exactly the same may that you would maintain that it is good for an Englishman to go to France and Germany to see what is going on there?—Yes.

31271. But so far as the actual system of education in India itself is concerned, do you think it is good that it should always be assumed it cannot do for the Indian student what English education can do for the English student at Home. At Home, we are content to send our children to a public school, and to Oxford or Cambridge or any other University, and then the tour in France or Germany is a sort of superfluous luxury that has good results. In India, as I understand the contention, the education is not in itself complete. and the mere going to England is not a superfluous huxury which may have good results, but an absolute necessity?—I should say it is not a luxury; it might become an absolute necessity.

31272. Is that good for your Indian system of education?—I think it is quite good in the case of our Indian system of education. I do not see where the conflict comes in. Our present system is more or less on Western lines.

continued.

10th March 1913.7

· 31273. But in view of the matters we have to consider that is an important point. Is it your view that so far as the West is going to benefit the Indian, the Indian must go to the West himself

to get it?—Yes. \$1274. Not that the West can come into India and develop a system of education in India, and that the Indian in India under that system of education can get the very best the West has got to give him ?-I think we must have our education on our own lines, with a proper mixture of the Bastern and the Western ideals, and then our young men ought to go to the West and see something of the life of the West, provided it is the best life of the West.

Would you make that a condition of the young man entering the Public Service?— That would be an ideal one, but I would not stick to it as if it were a very essential condition, because I think I have known some men who have never been to England and yet who had visionary power to understand the English character better than men who had been to England and come

back with a lot of misunderstandings.

31276. If you go back a generation to your great politicians and successful Diwans and to the men who led the modern movement in India, were they, speaking as a whole, men who had to go to England to be educated or men who came under Western influences in India?—There is always a halo about the past and the men that are of the past. I have the very highest reverence for the great men whom you have in mind, but they had their defects also. As writers, as speakers, as been defected and he witch as and would have compared most favourably with any of your best characters, but I have a doubt whether in point of sturdy action they were the men of the right sort. Average men, as we are, I think we are much better off than they were. I owe a great deal to these men, and I acknowledge their greatness : they were pioneers; but when those names are always brought forward as if they were exceptions and the present generation had decayed, I think those who say so condemn not so much our people as the genius of British rule, because I think the

average has gone up.

31277. Those defects you say you detect in
the elder men, are they not exactly the same
defects that are being brought before us now in evidence against the men who have been trained in England?-Quite so, but there is an improve-

ment; there is a levelling-up.

31278. If you compare the evidence given before the last Public Service Commission with regard to the experience of those first men with the evidence given before us now on the experience of the English-trained men, which evidence is most against you ?- I have not studied the evidence which has been given before this Commission, but I do not agree with those who think that we are much worse off than we were some years ago. 31279. If in reading the evidence before the

other Commission those earlier men are praised for their force of character and their powers of administration, and in reading the evidence before this Commission the English-trained Indian is blamed for the lack of those things, would you agree we should have to go on the evidence?—Yes, but I -Yes, but I

think the past is always exaggerated.

31280. But, I am speaking of the past judged by itself before that Commission?—The fact is that the distance between the great men and the

rest was very marked in those days, but to-day knowledge is more diffused and you have finer men of grit. It may not be known from the newspapers. I have come in contact with a lot of roung men who, if they could only have been brought out, would have proved themselves as good as the past men.

31281. Have they been to England?—They have not been in England. At the same time, I do not wish to underestimate the value of a visit

to England under proper conditions. 31282. You say that the experience of the

civilian is very important when he goes on to the Bench ?-I think it is. 81283. He sits on that bench along with men

who have not had his training ?—That is so who have not had his training ?—That is so. \$1284. How do they get their experience?— I will explain myself clearly so that my opinion may not be misenderstood. You have the Barrie ter Judge, the Pleader Judge, and the civilina Judge. The Barriets Judge, no account of his training at the Bar, brings in these notions of equity which enable him to get over the rigidity of how. Sometimes, you come across a case, where, according to strict legal principles you find the decision will shock your conscience, but the Barrister is able to handle the law in such a manner as to make the casuistries of the law bend to justice. That, I do not think the civilian Judge is able to do.

31285. The civilian Judge is weak on that

side ?-Yes.

31286. Has the Barrister Judge obtained that experience which the civilian has obtained as Executive office r?-The Barrister Judge is deficient in that, 31287. He is really deficient in that?-Yes,

he comes with that deficiency, and even if he acquires it upon the Bench I caunct say that it is tested by experience and by movement amongst

the people.

31288. May I take it then, very roughly and generally, that the civilian Judge is weak in law?—No, not in law, but in this way of getting cut of law. That requires a certain amount of training.

31289. Weak upon equity ?-I do not know how to put it more than I have already told you I cannot quote exactly the saying of an English

I cannot quote exactly one saying or an English Judge who put it in a very terse way. 31290. At any rate the civilian Judge is strong in his experience of the political and civil conditions?—I will illustrate my point in this way. Our Hindu Law is a science and is also made up of customs. Now, the best of your Judges, like Lord Kingsdown, Lord Cairns, and others, who had never visited Iudia, had a knowledge of Iudian Law which was a marvel to us. That was due to their grasp of the higher principles, and there the Barrister Judge has his advantage. The civilian Judge does not come up to that, but in point of his knowledge of the customs and manners of the

people, I think, he is very useful.

31291. Do you find that the civilian Judge has picked up what you would call the political mind, the executive mind?—That depends on the kind of man, I do not think I can make any pronouncement upon that subject by the light of the man being a Civilian or a Barrister. Barrister ludges have had their political opinions toe. I have not come into contest with the men who bring their political opinions on the Beach. It may be my lines have fallen on smooth ways.

Continued.

31292. You do not find generally that they quite unconsciously twist what you would call equity under the law to expediency from the political or Governmental point of view?—I do not think so.

31293. In your contact with young civilians do you meet only the Judicial men?—I have met with the Judicial men and here and there with young civilians, but I do not say that I have met

with a large number of them.

31294. In your answer to question (16) you say: "My experience is that we are getting a better and higher quality of men under the system since 1891 than under the systems previously in

force "?—I judge from their work.
31995. That is from the Judicial side?—The
Judicial, and so far as the Revenue line is concerned, I think the recent additions have been

vary good.

§1.296, How long would a man be out bure before his Judicial work and Ravenus work on the Judicial his would came before you?—As a Maghetrate it would come before use soon after he comes, iscenars I think he is first of all invested within his mouths second class magniterial powers, and he gets within his mouths second class magniterial power, and goes on rapidly, so that his work would come before me in his capacity of Judge I think it would come before me in a part of Judge I think it would come before me in about seree or eight years.

31297. And the men you are now experiencing as Judges are men who came out here at an earlier age than they now come?—About twenty-three or twenty-four. I am not speaking merely of 1895. I am speaking of the change when a University training was insisted upon.

University training was instand upon.

31293. What you have in mind is between the man who came out after a public school and the man who came out after a furierarity ?—Yes. I have come in contact with ovillans of the earlier type and also with civilinas who came after that, and I think these men with their vider culture are able to grasp other situations than their own more quickly and once sympathetically.

B1299. In answer to question (62) you instance the head master of an English public school who estell that the Digitaliman has maintained his hold of India by the spirit of alcofases. Supposing, we had nomination, and that bend-master, as head master of an important school, had certain privileges of nomination, and seath up a number of men who he thought were qualified to stead for the Indian Girll Service constantation, would you put his recommendations in the waster-paper backs?—If you ask my opinion, I would charge that man as being a breeder of seltition in India.

21900. We have had evidence that the had unstern of the big public schools were competent to monitacle their public schools were competent to monitacle their public for the Indian Givil Service examination in Iodic. Would you hold that a man who takes that wow of what is necessary in India is competent to monitacle analyst Per disculping ayabolitative incompletes, because it is that danger which has been the peril of India and will prevenence and more the peril of India.

31301. (Mr. Fisher.) There are one or two subjects on which I should like to ask you a question or two, and the first concerns, when a malestand to be your own substantive propositions. I gather that you would be in favour of a sehome under which one-third of the posts in

the Indian Civil Service should be reserved for Indians?—Yes.

31802. That the first charge upon that proportion, so to speak, should be borne by the successful

candidates in the open competition?—Yes. 31308. And that the numbers remaining over should be distributed between the Provincial Service and the Bar?—Yes.

31304. I suppose we may assume that with the progress of education more and more Indians will be successful at the open competition?—Yes.

will be successful at the open competition?—Yes. 31305. Will not it therefore follow that there will be fewer places available for the Bar and the Provincial Service as time goes on?—Certainly.

31303. Would not that in itself present a certain difficulty as regards your scheme? —Certaioly, As I said to Mr. Gokhale, it is a tentative proposal; I cannot say I have thought it out very carefully. Certainly there are better suggestions.

31907. I anticipate that some disapprintment might eventually be felt by the Bar and the Provincial Service in proportion as the number of successful candidates increased?—Any scheme you desirs will be a disappointment to some class or another, but the straight path is the best. Take your line and sisted to it, and when the next time comes for a move couract, take it. That is the course that should be parased. You cannot derive a scheme which will satisfy all classes or that will be free from any objections.

31908. The second matter on which I should like to sak you a question conterns the teaching of the absaical Oriental languages. It has been suggested to us from more than one quarter that English endulistes for the Civil Service should as some stage of their probation learn a classical Indian language. Would you be in favour of that?—I am not in favour of it; I do not see the practical extractage of it. If anyboly has a task for it, just as for instance the late Mr. Jackson had, let him go on for it, and let him be encouraged, but I would not prescribe it as a size god one.

sine qua non.

31309. Does Sanskrit or Persian occupy any
substantial part in the general liberal education of
an educated Indian?—It does.

3131. So that, some knowledge of Sanskrite or Perfain would at any rate give some common forelized and ground between the educated civilians?

—Yes, but I think it is not everybody who and stady Sanskrit, and if you insist noon it, it will be like the case of the years givelian of "whom I have heard. He was reading with his Pandit in one room, with the District Collector string in another room, and he was saked by his Pandit to raid a document in the vernacular, and he said: "Am I to read this for my examination?" The Pandit said "Yes." Immediately he went into the other room and said to his District Collector. "I'll be blowed if I learn this." I do not think the stady of the said was a single property of the said was a single property of the said was a single property.

it is of any use insisting on these conditions, 313.11. With regard to a separate cannination in India, would you had any insuperable objections to a scheme under which the head masters of the different colleges and schools in this Presidency were asked to nominate five or six of their most promising pupils to eater far the competitive examination as a resulf of which they would be passed into the Indian Civil Service [—1] should not envy the lof of a head-master who had to make that selection. He would be currounded with so many entreaties and influences that either he must secumb or have more get than I ma affairly we

204

10th March 1913.1

possess to be able to make selections as they ought

to be made.
31212. Would not his interest as a head-master be to select the ablest boys, the boys most likely to succeed in the examination ?-Theoretically it would be to his interests, but there are other

interests which would overpower him. 31313. You think that no combination of nomination and competitive examination could succeed in India?-It might if the selection were left to a Committee of men who were known for their probity, their strict integrity, and their free-dom from caste influences. If after close examina-tion they selected men for nomination and

competitive examination it would be all right. \$1314. (Sir Murray Hommick.) With regard to the recruitment to the Provincial Service, when you say you would like to see the Provincial Service recruited from an examination I take it you mean an examination in each province. You do not mean one held for the whole Provincial Service

of India?—No, certainly not.
31315. You would admit to the examination in each province persons from other provinces ?-

I would not make a rule probibiting them. You think that at the present time it is advisable to arrange that the Provincial Service should be recruited entirely from a competitive examination to be held in each province once or

twice a year? - Yes.

31317. At the same time you think there is some danger of the Provincial Service entirely becoming the monopoly of one or two classes in the country ?- There is that danger of course, but as I have already said, the danger is becoming

less and less. 31318. But do not you think if you have a competitive examination now for the Provincial Service held in Bombay once or twice a year, and you admitted candidates from Madras, you would run a very serious risk of the whole of the Provincial appointments in Bombay going to one educated class, the class of Brahmans, and that amongst those Brábmans you would get in a very large number of Madras Brábmans?—I think, theoretically, as a matter of logic and argument, it looks as if there were a great deal in that, but men are not led by logical influences altogether, and I think the danger is much more imaginary than real. The second element that has to be taken into consideration is this, that although it is true they were crying for more offices and a larger part in the administration, a new life is springing up in the country which thinks that Government service is after all an inferior kind of service. that there must be more of our men in public life and activities; and therefore the more that feeling grows the less will be the danger of men scrambling for offices in Madras or Burms and this and that place. I do not believe in that fear. At the same time I say there is some room for it, but I would not make too much of it. It will correct itself in

Signature the long run.
Signature the long run.
Signature the signature to introduce the other, you would not hesitate to introduce competitive examination for the whole Provincial Service in Bombay on the terms you mention?-I would not hesitate at all, because if you begin to look at this fear and that fear there will be a good many fears which will make the whole thing impossible.

\$1820. Have you ever had the Provincial Service in Bombay recruited by competitive examination ?- I believe it has been done by fits and starts. At one time there was competitive examination, then it was given up, and at the present time it is a system of nominations, with the result that I am afraid in some cases men have been appointed because they were the sons of their fathers or some favourite of Government

31321. You do not know what the result was when they had competitive examination?-I think

the results were excellent.

31322. As far as the men go, but you do not know what was the result as far as the monopoly by one or two classes of the population in Bombay was concerned ?- I have already said that just at present there is the likelihood of certain higher castes getting in, but as I say the other classes are also slowly coming up.

31322. As far as the competition was held in Bombay had it any result in bringing in one or two classes of the community ?-I think that the classes who have come in are the classes who generally have advantages in point of education and intelligence.

In Madras, for instance, we had it for about 15 years and out of 15 examinations I think 15 Brahmans got in ?- I think the Brahman

is likely to have the larger share at first.
31325. With regard to recruitment from the Bar, you would take your recruits from the Bar into the Indian Civil Service and make them at

first Assistant Judges?-Yes. 31326. What kind of age would you take them in at ?- About 26 and 27, certainly not

after 30. A man would have had three or four

years' practice by then?—Yes.
31328. Would you take them in by examination or nomination?-I would take them by nomination.

31329. Who would nominate them?-The Government, consulting the High Court, so far as the Judicial is concerned.

31330. The proposal has been made to us by more than one witness that Government Pleaders should be taken in for this purpose?—There are some who think a Government Pleader has greater experience and all that, but I do not share that opinion at all.

31331. Do you think you would get men who, really, after three years' practice, had a good future in front of them at the Bar, really brilliant men, to take these appointments of Assistant Judges? - I think you will, provided you can hold before them a certain thing to aspire to. \$1332. Provided that they enter into the

Indian Civil Service with a chance of being Judges and eventually High Court Judges?—Yes. \$1383. Would you make these men part of

the Indian Civil Service?—I would 81334. As regards the school master who spoke of alcofness, I suppose you would agree that a newly arrived English civilian, unless he has a considerable amount of caution, is rather apt when he begins life up-country to make friends of a section of Indians whom perhaps he had better not have too much to do with ?—That is not the thing that the head master meaut. ' He meant aloofness

s nevily arrived civilian requires a great deal of caution in the manner in which he makes friends amongst Indians up-country?-Quite so. ThereSir Narayan Ganesh Chandavarkan.

are some of us who, although Indians, do not make friends very much amongst ourselves; we keep ourselves aloof enough to resist all influences; but we move amongst the people and we suffer with the people and we love the people and we inspire their respect.

31336. Some of my Indian friends tell me that my other Indian friends are persons that they would never be friends with at all, that I do not understand their characters?-People who talk like that must be asked to substantiate their case by facts, and if you get at their meaning they

will soon expose themselves. 31387. With regard to the Sub-Judges that do magisterial work in times of famine, the only record of such an experiment I have ever seen was distinctly written down as a failure, in the big famine in the South of India?—I do not speak of

the South of India.

31338. But do not you think that as a regular thing a Magistrate's work is very likely to interfere a great deal with the ordinary Civil work that the Sub-Judge does ?-Yes, it may

\$1339. A Magistrate's work involves a considerable amount of work in the posting of cases and out-door visits to seemes of crime, from which work a Civil Judge is now quite free, and the success of a Civil Judge to a great extent is due to the fact that he does nothing but Civil work?-There may be some force in that,

31340. (Mr. Heaton.) You mentioned the increasing desire of Indians to take part in public life and the growing opinion that Government service had not the attractions that they used to think it had. Do you think that the desire for a simultaneous examination is, in any way, diminishing ?-I may be in the minority, but I think that as far as the large majority of my educated countrymen are concerned, it has not diminished, but I believe there is a feeling of hopelessness that they will not get it, if it is not as strongly expressed as it used to be. I think the feeling is there as strong as it was. 31341. With reference to the competitive

examination that you suggested in India?—I have not suggested any competitive examination. My suggestion is different. I said something of that kind might be better than my scheme, although I have not carefully thought out the

31342. Supposing there was such a thing, would you recommend that the vernacular languages should be amongst the subjects in the examination?

31343. You would exclude them altogether? -Yes.

31344. With reference to giving Pleaders' appointments, how would you provide Subordinate Judges and fulfil their hopes of superior posts? -I leave that to be dealt with as a matter of detail. I merely point out in a rough manner the classes from which these nominations are to be made, but as to whether the Subordinate Judges are superior to the Pleaders or not that must be left, because qualifications and other things change from time to I could not express any opinion which

would be applicable to all times and all conditions.

31846. I suppose you would not be in favour
of having their hopes diminished?—Certainly not.
I ought to say these Subordinate Judges would make even much better men if, living in the mufassal, they retained their higher ideals of life which they acquired at college. Unfortunately,

the tendency is, when they go into the mufassal rather to sink into the conditions around them in the case of Subordinate Judges; otherwise, I think they are as good material as the Pleaders in the Presidency towns.

31346. Do you think the High Court ought to be consulted always when an appointment is made to the office of Assistant Judge?—In every case the High Court should be consulted. Where it has not been consulted I think the results

have been most unfortunate.

31347. Supposing there were separate recruitment for the Executive and the Judicial Branches of the Indian Civil Service, so that you had your Collectors and District Judges coming, so to speak, from different stocks, what effect would that have on the relations of the Collector and Judge?-I think if the men appointed are worthy, the relations

will be all right.
31348. With reference to the teaching of Indian Law, the Law of the Auglo-Indian Acts, not Hindu Law, is not that rather a difficult matter to arrange for without compelling a great deal of memory work?—It does entail a good deal of memory work and I think it is best learned by practice.

31349, What would you say to a scheme of teaching broad general principles of Law as it is administered in England, and at the same time teaching where those principles find expression in our Anglo-Indian Acts?-That would be a capital

way of getting at what is desired.

31350. Do you think it is a good thing for
15, tog to 6 England 7—I have expressed myself
against it very strongly already. I have said that where it has been tried it has proved most unfortu-nate for the parents and for the country.

31351. It has been pointed out that English Judges and Magistrates have certain difficulties to overcome in their Judicial work. The language in which the evidence is given is not their own language, and the manners and customs of the people whose cases they have to dispose of are not theirs. Broadly speaking, do you think, from your own experience, that they make good Judges of fact?—I think they do. 31352. In spite of these disadvantages?—The

disadvantages are after all comparative. There is such a thing as a foreigner seeing things from the outside, and there are things which cannot be seen except by one who knows the life from the inside, On the whole, I think they do make good Judges of fact if they are conscientious and have pre-conceived prejudices. I think the best civilian is he who does not start with the idea that every

Indian is given to perjury and that sort of thing. 31353. With reference to the experience in trying original suits that Assistant Judges ought to have, do you think that is best obtained by making them do the work of Subordinate Judges?

-Yes, for a year. 81354. (Mr. Bhadbhade.) May I draw your attention to an apparent contradiction in your evidence as to the result of a visit to England on the part of young Indian students. In answer to question (7) you say that the men return demoralised and discontented. In answer to question (11) you say: "I would rather encourage Indians competing in England as it presupposes a visit of the young man to that country which is sure to benefit him."

Sconeluded.

Are you on the whole inclined to favour a visit on the part of Indian students to England?—
If you want inc to answer a question I have already answered, I will. I have said a visit to England is a necessify for us if in going there we come in contact with the best living forces of English life, but the question is whether must do use that or not. There is no contradiction there.

or not. There is no contradiction there.

31385. How that cold is to be accomplished is the question 2—I would send a young man and place him in a good English home, with steist regulations, and see that all money and everything is given into the hands of his guardians. I would have reports from time to time of how be ingesting on, and I would keep him away from all baneful inflements such as the oritizary political, religious, and other controversies. I would use that be is bred up as a man, attending the church, and seeing the best of religious life; I would insist upon strict discipline, upon his kaming to be a regular man; I would insist upon this kawping away from hipur, gambling and smoking. If I found be was not brought up in that way I would solk him to return home at cose, That I think is the only practical solation of the problem rope up to me, I that is not done we get the men who come here on "mashers."

\$1356. In reply to question (7) you say you do not advect the institution of a simultaneous examination for the Incian Civil Service, but you say you would like to see one-third of the candidate recruited from the Provincial Service and the Bar. Can you suggest any solence under which third potition of the civilian element might be recruited in India either by examination or monimistion, and which would you prefer — I favour a competitive examination in India.

31857. And that alone —With nomination, 31857. And that alone —With nomination on the part of the Government —No, I would not have the preliminary nomination at all; it would bring in favourisism and neptism and all those painful illuences which have done so much mischief in the country.

31259. In answer to question (13) you say:
"All that I propose is the drafting into the
Service of Givilians who have a learning for Judicial
work." Can you suggest how that leaung is to be
discovered?—Aust as Government always tries to
fail out a man with literury art when they want
an Under Seavery or Secretary for the Government. What does Government exist for but
to find out the men who are capable?

31359.4. You would suggest inviting applications on the part of the Indian who wishes to enter the Judicia Handriff—Government generally find out from each Girlian whother he would like to go into the return of the core of by Judicial line. I know there are some men who are drafted into the Judicial line segment their will, but that is what has led to some failures. Where men choes the

Judicial line of their own will, because they like it, I think the appointments have been on the whole very satisfactory. 31350. I dareay you know the Rules framed by the Government of Bombay for regruitment to

the Judicial Branch of the Provincial Service?— Yes. .

31361. Do you think they are suitable?—I have not gone into the Rules so carefully that I can answer that question off-hand.

and tagewort may quiest out-made. 31362. I suppose you are aware that there are some pasts which are technically called qualifying posts, for instance the pest of Nexa, or head-elerk-hip. Do you think such appointments form an ideal training for a candidate who is to become a Sub-Jadge 8—I think all training is good even for the higher past. If an officer wents to bear he can learn a good deal, and he would be able to find out in his office whether the underlings were doing anything wong.

doing anything wrong. \$1363. My question was whether it affords any special training for the duties which a Judge has to discharge?—Yes, it brings him in contact with men of all classes, and as a Judge ho will be

bester able to expressive swience.

31364. I may tell you that your opinion is in carlifict with that of the Honourable Mr. Justice Batchelor 2—I have already requested the Commissioners not to make time boar the burden of other people's opinions. It is enough for me to bear the burden of other propriets opinions.

bear the burden of my own opinions.

31365. Are you aware that Subordinate
Judges invested with Appellate powers do the
work which an Assistant Judge does?—Subordinate Judges invested with Appellate powers have

done very well.

31866. Do you think they are cutified to an increase of salary 1—Yes. The Subordinate Judges are the only class, I am afraid, who have been crying for more salary and have not got it. I am afraid one disadvantage of Indian administration is that precious good care in taken of the top and the extremilies are left in the cold.

31387, (dfr. Joplekar.) In answer to question (12) you have proposed that the Provincial Service should be recruited by means of a competitive examination, and not by mere selection and nomination. Weald you stop recruitment by promotion of selected officers, that is Mámlatdárs?—No.

31838. You would not replace promotion of relected experienced Manhatdars by a competitive axamination 1-No, provided the nomination is made on proper grounds. The only danger is that it may not be. However, I would not stop the premedien of Mamhatdars, because they deserve it.

31369. You would replace the selection of persons not already in Government Service by a competitive examination?—Yes.

(The witness withdrew.)

Sir Pherozeshan M. Menta, k.o.j.e.

Memorandum of Replies to the Questions by the Chairman of the Royal Commission on the Public Services in India from the Bombay Presidency Association.

i.—The Bombay Presidency Association has, ever since its foundation in 1884, following in the footsteps of the Bombay Association and the

Bombay Branch of the East India Association, consistently maintained that the holding of simplicanceus scientistics in India and Bingland was the only practical and statesmanlike solution of the problem of carrying into effect the policy distributed by the highest political wistom and demanded by the fullest requirements of efficiency in the administration of India. Binglish statesmanlish endiministration of India. Binglish statesmanlish

Sir Pheroemshae M. Mehta.

[continued.

never showed its soundness, sobriety, and wisdom better than when by Section 17 of the Statutes 3 and 4 William N. C. 85 it emphatically declared that "No Native of the said territories nor any natural-born subject of His Majesty resident therein shall, by reason only of his religion, place of birth, descent, colour or any of them, he disallowed from holding any place, office or employ-ment under the said Company." The Court of Directors, in forwarding a copy to the Government of India, said "that the meaning of the enactment we take to be that there shall be no governing caste in British India," which is, however, what is really timed at in all the multiform contentions of Anglo-Indians when they oppose in a variety of ways and for a variety of reasons the equal admission of Indians to the Civil Service, In 1853 and 1858 (16 and 17 Vic. C. 105 and 21 and 22 Vic. C. 103) the system of nomination and patronage was abolished and the Indian Civil Service was thrown open to cometition among all natural-born subjects of Her Majesty. Thus was the policy of the full and equal status of Indians for admission to the Civil Service of their country solemnly and deliberately declared by the Peoples and Parliament of Begiand. That policy was in a time of great stress and strain again solemuly proclaimed by the mouth of the Queen-Empress in 1858, and the then given have been as solomuly confirmed by the mouths of his late Imperial Majesty Edward VII, and by his son our present illustrious Sovereign. This some policy is no less demanded by the requirements of real efficiency than it is by political wisdom. Good deal is being said as it has been said before, that it is essential that Indian administration should be carried on what are denominated 'English lines,' but it is equally essential to realize that thorough efficiency can never be secured without a thorough and complete blending of Indian knowledge. Few Englishmen are capable of realizing how seriously and hopelessly English officials are, particularly in the higher administrative posts, handicapped in the proper and efficient discharge of their work-revenue, judicial, legislative and executive-for want of that close, intimate, and personal knowledge of the people of the country, their ways, circumstances and habits of thought, which comes intuitively to a Native. The only remedy for avoiding the evils of a one-sided administration by Englishmen alone is to associate in the Civil Service both Indians and Ruglishmen on a basis of absolute equality without any distinction or differentiation in the mode of recruitment which must carry with it a sense of inferiority ii.-With regard to the capacity of Indians, it

ii.—With regard to the expective of Indians, it is already acknowledged in the fact that exceptation is open to blean in the present examinations held in England. It warp, however, he as well pointed out that the report of the Public Service Commission (1888-87) distinctly admits that "the ordience tendered before the Commission is to the effect that the Natire gamileane, who have up to the present time succeeded in guining appointments in the Indian Civil Service through the channel of English competitives have performed their dudies to the astifaction of their superiors and have generally proved themselves to be efficient in the service of the State. From this view the Commission sees no reason to dissent and it further believes that the Native

Covenanted Civilians appointed in England are as a class superior both in education and ability to those persons who have been selected in India under the provisions of the Statute of 1870." should be noted that the former gained their appointments in open competition, while the latter were nominated by the different local Govern-ments. The table given by the Commission of Indian Civilians discloses such names as those of the late Romesh Chander Dutta, Satyandra Tagore, Sir K. G. Gupta and other distinguished Indians. It is often said by Anglo-Indian witnesses that Indians are not fit for admission to the higher Civil Service, because they are essentially inferior to Englishmen in character and moral equipment. But it is well to bear in mind that this is a picture drawn by Englishmen of themselves in vague words which admit of very little verification. Most of the great Englishmen who knew Indians closely and intimately have borne generous testimony to the moral qualifica-tions of Indians. It must also be remembered that the contrary opinion cannot be considered as based upon fair experience in consequence of the practical exclusion of Indians from the higher administrative posts from 1833 downwards. The Association submits that there is really no reason to question the moral capacity of Indians for the highest and most responsible administrative work. It were well to remember that Mr. Robert Lowe (afterwards Lord Sherbrooke) said in the debates on the India Bill of 1853 on this very subject of competitive examinations that there was " a close connection between the moral and intellectual qualities of the human mind."

qualities of the human mind."

iii.—The Association further begs to point out that when it is said that flegithshme alone can maintain Indian administration on English lines, the fact is that Begithshme alone in maintain relate of follow English lines in Indian strictly opposed to follow English lines in Indian administration. The Revenute administration is largely not based on English lines; the majority of English Civil Servants would like to remove the decision of most civil questions from judicial tribunals to executive officers. They are always contending that Orininal Justice should be administrated in a rough and ready way by excentive officers which the safeguard of judicial procedure and related very like the safe in the process of the safe in the content of the safe in the safe

ageon unuer Lord sitys, in Auditor's life of that Viceory, still holds good with regard to the average Anglo-Lodina Givilian:—
"May press solve an an mob to any particular law, as to the generatest of the entire by the st old. Two laws, as to the generatest of the entire by the st old. Two laws as the laws of the laws of the laws of the laws of the laws of the laws of the laws of the laws of the state of things throughout Islaids such that he cards it ail cames to be cereifiche by what it called quity, in the Joseph popular sease of the rand. That he Gars of lawse copie to define the laws of the laws of lawse copie whether its beach was not mently isolable. In other, that there explit to be not at all the converge of an entire are convenient her that the every instance, the Bistrict Olizer speak to define laws of the laws of the laws of the and the laws of the laws of the laws of the good to define laws of the laws of the laws of particular than the laws of the laws of particular than the laws of the laws of particular than t

segges observed according to their our allowed to give any pocurrential by their applicates. For our other checkens with present who had the agoing the last to Godern count of Isolic present the abouttop percer of the elf Nation States abject only to each limitations as all has chosen to impair not read that if to each limitations are the channels to impair not read that if you have. That every new list is these new hadrons out the general powers of formerous and notes to dismitted them, and that there ought to be not for lasts a possibility order that the rigger of the restortive percent may be madded as the

and the second to be seen in the second of t

10/h March 1913.]

Continued.

as their natural accumies, and upon law as a naysterious pomer, the special function of which was to proceed, or at all events to enhance and restrict neighting. But suppose exception action. I was once discussing which a military officer of the process, and in both of the contract of the process, and in the contract of the contract of the process of the contract of the contract of the process of the contract of the contract of the process of the contract of the contract of the suppose of the contract of the contract of the suppose of the contract of the contract of the suppose of the contract of the contract of the suppose of the contract of the suppose of the contract of the suppose of the contract of the suppose of the contract of the suppose of the suppose of the suppose of the suppose of the suppose of suppose of suppose of suppose of suppose of suppose of suppose of suppose of suppose of suppose of suppose

iv.- If, however, what is meant by administration on English lines is the application of principles deduced from the most advanced education and culture and the progressive experience deriv-ed from all ages and climes, then English education will qualify Indians to apply them to Indian administration under the guiding statesmanship of England as well as, perhaps better than, Englishmen hampered by the bias and prejudices engendered by belonging to the ruling race.

v .- The Association therefore holds that political wisdom as wellas administrative efficiency both require the equal association of Indians in the highest posts of the administration and that that association should be on the same basis of competition as at present in the case of examinations for recruitment to the Service held in England. For that purpose, there is no other course open but to hold a simultaneous competition, both in England and India, for there would be no equality unless the facilities and opportunities were equal in the case of Indians as that of

Englishmen vi.—The principles and methods of nomination and selection in various ways and forms have been tried and found wanting. It was contended at the time of passing Section 6 of the Statute of 1870, that nomination and selection by Europeans of Natives could not lead to the evil of patronage and jobbery, as the relations between them were of a different character from those in which patronage and jobbery could flourish. The Duke of Argyle contended during the passage of the Bill in the House of Lords that there was no risk whatever of the Government of India being influenced by political jobbery or family nepotism. In a paper read before a meeting of the Bombay Branch of the East India Association by the President of this Association, this view was strongly controverted, and experience has proved that patronage and jobbery can insidiously penetrate even in the relations of Anglo-Indians and Natives in this country. At the time of the appointment of the last Public Service Commission, Dr. Wordsworth, then Principal of Elphinstone College, described the working of the Rules under the Statute of 1870 in a letter to the Pall Mall Gazette as follows:—"The people now selected are in reality representatives as little of the aristocracy as of the intelligence of the country. They are members of respectable families who happen to onjoy the favour of some educated official—a Secretary to Government, a Member of Council or a Police Commissioner. In this Presidency, a College education and an University degree appear to be regarded as positive disqualifications for selection. A young man of independent character and high talents cannot now hope to enter the Civil Service by competition and he has generally no wish to enter it by the back door of favour. Everyone again who knows India, also knows how far the official world here appreciates the independence of educated Natives and what chances it is willing to give them. Differential ignorance,

conciliatory manners, and a plentiful absence concinatory manners, and a picutini absence of originality and independence are now, and will always be, at a premium?<sup>3</sup>. It is one of the most deplorable facts in the relations of Anglo-Indians and the Natives of this country that even the best intentioned and least prejudiced among the former have a rooted dislike to the educated men among the latter, possibly because they press too closely on their heels. The discontented B. A. has been and still is the cherished bete noir of most Anglo-Indians. From opposed to the revival in any shape or form of the methods of nomination and selection with all their plausible combination for the recruitment of the Indian Civil Service,

vii.—This Association desire to emphasize that pestions of proportionate representation of classes and communities have no room in the problem of the fair and equal recruitments of the Civil Service of the best and most efficient members amongst Englishmen and Indians. door of entrance can only be open to merit, from whatever quarter it can be supplied. It is open to all communities to advance in education and culture so as to bold their own in the general competition. This Association earnestly deprecates all endeavour to push sectional pretensions not based upon merit. They firmly believe that this is the view beld by all the best and wisest men of all communities throughout the country.

The Association desire to add that they are firmly of opinion that successful Indian candidates in the simultaneous examination in India should be required to proceed to England for the probationary period of two years. It is most desirable that they should have an opportunity of having some personal acquaintance with the country and the people who shape the destiny of Opportunities for seeing and studying English life, in the best way, can be easily

arranged.
viii.—The question regarding the recruitment the Judicial Branch of the Service presents greater difficulties. This Association firmly believes that no person can make a really efficient judicial officer without combining a sound knowledge of the principles of law with the power of appreciating evidence which only comes from legal practice in legal tribunals. The most serious defect of the Anglo-Indian judiciary arises from the circumstance that their ignorance of Indian life is not corrected to any extent by the knowledge and experience of Native ways and thought which can, to some extent at least, be acquired by the close contact into which a practising lawyer is thrown with the people. It is worth while in this connection to note the views and opinions of an able Angle-Indian official of past days, Sir Lepel Griffin. He was an avowed and uncompromising opponent of the Indian National Congress, the educated Indian and the Bengali Babu. In an article in the April number of the Asiatic Quarterly Review (1887), however, he says: "I would only say that, in my opinion, almost the entire judicial service might be made over to Native judges, reserving criminal powers to the magistrate of the District, and a certain proportion of English judges being retained on the benches of the High Courts to preserve continuity in the treatment of cases, and a high standard of judicial work,

Continued.

10th March 1918. T

Sir Perkozeshah M. Mehta.

"The gross and universal perjury of the Courts, the like of which is not to be found in Native States, where prima facie the oppression of the ruler should have encouraged falsehood as the natural defence against tyranny, directly springs from the ignorance of British judges, who do not know whether a Native witness is telling the truth or a lie. The subtle and, to a Native judge, the unmistakable signs of truth or untruth in the demeanour and voice of the witness and in the manner and matter of his evidence, are unnoticed by the European, whose mastery of the vernacular is incomplete and who, in many cares, knows little or nothing of the social life and customs of the several Indian castes and tribes. This knowledge, which is worth far more than many of the subjects in the competitive examination, is becoming more rare every The further the suit is removed from the Native magistrate, the more complete is the fiasco." It cannot be denied that these observations of Sir Lepel Griffin have a great deal of truth in them. Considerations of efficiency thus affect the question of recruitment to the judicial service in a greater degree than even that to the executive portion. The Association confesses that it is not easy to suggest a system which could be theoretically free from all objections.

ix,-The Association beg to suggest the following scheme as one meeting the requirements of principle and efficiency with the least impairment. They think that the recruitment to the judicial posts of the Civil Service should be accomplished in three ways :-

(a) The present Subordinat Judiciary com-posed of Subordinate Judges of different grades should be enlarged and strengthened. It deals, at present, with Civil work only. To that should be added Criminal work, at present done by revenue officers : the Mamlatdar, the Deputy Collector, the Assistant Collector and the District Collector and Magistrate. This would have the additional and untagent action of the separa-tion of judicial and executive functions, pro-nounced by Lord Dufferin to be "a counsel of perfection." It may be stated that when in famine time, Criminal work was assigned to Subordinate Judges, they acquitted themselves most satisfactorily. The cost would not be unduly heavy, as the burden on revenue officers being lightened, their number can be decreased, and the number of the Subordinate Judges correspondingly increased.

The recruitment to the Subordinate Judiciary thus constituted should be by a competitive examination to which all graduates of Universities holding the degree of Bachelor of Laws (which includes the degree of B.A.) and having been in practice for three years should be eligible. One-third of the higher judicial posts should be assigned to the members of the Subordinate Judiciary thus created, as they rise to the higher grades. They would then possess the qualifications of experience and practice, with a competent

knowledge of Law (b) The Association are of opinion that onethird of the recruitment should take place from the body of legal practitioners—barristers and advocates, Indian and English, who have practised for not less than five years in the Indian Courts. The appointment should be made on the recommendation of the Judges of the different High Courts. Though this mode of recruitment does not altogether avoid the evil of favouritism, still it will be confined within a very narrow limit, in which a general average of merit and qualification will be ensured, as a call to the Bar guarantees legal attainments, while a practice of no less than five years will add experience to

(c) The remaining one-third should remain with the Civil Service as at present. It should be, however, provided that the probationary period of successful candidates in the competitive examination should be increased from two to terminators such as the leaves to the system of they should enter a Barrister's chambers approved by the Secretary of State and attend Courts with him. This training would be useful to all Civil Servants, executive and judicial, for it will, to some extent at least, tend to impart to them the power of appreciating evidence, which, according to a recent utterance of Lord Morley, is the great

need of all men of education and culture. It is scarcely needful to add that if the above proposals for the recruitment of the Indian Civil Service were adopted the Provincial Service should cease to exist and the listed posts should revert to the main stock. There was no keener disappointment in Native India than when the last Public Servico Commission, which had raised high hopes, ended with recommending a Provincial Service, in its very nature stamped as inferior.

#### Sir Pherozeshan M. Mehta, called and examined.

\$1371. (Chairman.) Are you a member of the Legislative Council of Bombay?—Yes, I have been a member for twenty-five years.

\$1372. Can you tell us what your connection is with the University?—I have been a Fellow of the University for the last 40 years. I am a Syndie in Law and Dean in Arts and Law. At

present I am Dean in Law and Syndie in Law 31378. You have put in a Memorandum on behalf of the Bombay Presidency Association, and therefore we may take it, I suppose, that the views embodied in this Memorandum represent the views of the Association as well as your own?-Yes,

they do, as well as my own.
31374. When you say they represent the
views of the Association, do you mean that they н 495-78

represent those views through the medium of a Committee or through the medium of assent by the whole body of members?—It is both. There is a governing body of the Association which is called the Council of the Association, and the Association has discussed this question for the last thirty years, taking into account its predecessors, the Bombay Association and the Bombay Branch of the East Indian Association, and they have had discussions in Council and in general meetings of the Association, and public meetings have been held by the Association, and on all those occasions they pronounced themselves in favour of the views

31375. Can you tell us what are the objects for which the Bombay Presidency Association has

which are now set forth.

been formed ?-It was formed for the purpose of ndvancing the political welfare of the people of this l'residency based upon unswerving loyalty to the British Crown, and to employ all constitutional methods for the purpose of advancing and promoting their welfare.

31376. Can you tell me approximately what its numbers are ?-About 800.

31877. On the question of recruitment to the Indian Civil Service the Association is in favour of simultaneous examinations ?-Yes, and has always

81378, With a two years' probationary course in England for all successful candidates ?-Yes.

31379. Are you in favour of the maintenance of a strong European element in the Administra-tion?—Yes, but I would rather put it, on the full admixture of both the English and the Indian element. I should like the Civil Service to be composed of a strong admixture of both the English and the Indian element.

31380. By the word 'admixture' do you suggest a preference in number for either ?- No.

81381. Can you say that, if simultadeous examinations were allowed no event could occur which would reduce the European admixture to a negligible quantity?-Not for many years to

31382. That is your anticipation and prediction ?-My strong anticipation and prediction.

31383. But it could only be a prediction?— Of course, a prediction which is arrived at from history and from the knowledge of existing circumstances and their tendency.

31384. When you say arrived at from History and the knowledge of existing circumstances and and the however their tendency, what do you exsetly mean?—We must judge from the past and the present; we must take the trend of events as they have been in the immediate past and in the present and say what we think will be the continuation of that tendency in future.

31385. You see nothing in those tendencies to suggest to you that under a system of open competition in the two countries the number of successful candidates in India would exceed to an appreciable extent the number of successful candidates in England?—For a very long series of years, no.

\$1386. Can you tell us on what grounds you object to the alternative proposal which has been made to us of an examination in India with a limit in that examination to the number of posts to be ranted to Indians?—That would be opposed to all granted to Indians — I may would be opposed to the pledges and the policy which has been laid down in regard to British rule in India, and that I consider a very serious circumstance indeed,

31387. You are assuming, perhaps, that by the introduction of an Indian Examination the examination in England would be closed to Indians? No. I am not

31388. Why do you say that to give an additiceal opportunity to the one already offered would be in contravention of former Proclamations and Statutes?—Because, the opportunity given to enter for the examination in England is really not

an equal opportunity.

31389. Is not really an equal opportunity because of the disabilities and difficulties which an Indian experiences in going to England?-Yes.

\$1390. It is on that account that you say that the existing system is in direct contravention?-

31391. But would you say that to graft on to the existing system in India additional facilities for Indians would contravene the Proclamations and Statutes more than the existing system, according to your opinion, does?—Not, if the facilities are of the same character, that is by competitive examination Otherwise, unless equal facilities are developed for Indians as for Englishmen both the letter and the spirit of the pledges would be contravened.

31592. The letter and the spirit are contravened in the present case only by the fact that thousands of miles intervene between India and England?-

31393. There is no other way in which the spirit is contravened?—But that is a very great

difficulty, indeed. \$1394. What I want to elicit from you is why you should say that the Proclamation would be further contravened, if further facilities were given for the admission of a limited number of Indians by means of an examination in India ?-It at once brings out the difference in the treatment of Englishmen and Indians. Unless the limits are fixed in equal numbers the difference in the proportions at once marks a difference between Englishmen and Indians, and that I say is contrary to the letter and the spirit of the pledges that have been

31395. Which would you sooner have, the principle, as it stands now subject to its physical difficulties, or farther facilities given in the direc-tion of offering to a limited number of Indians an opportunity of entering the Civil Service through an examination in Iudia?-I have the strongest objection to that latter alternative on the ground which I have stated.

31396. Have you say views with regard to the age at which civilians should pass the examina-tion?—No, I have not dealt with the question of age; I thought that was somewhat of a minor point. But, I have very strong views, and the Association had very strong views, about the limiting of age. They have always fought against the age being too low; they think that the age should be at least 22 to 24.

\$1897. The present age?-Yes,

31398. They would not desire to see that changed ?-No; it may be profitably increased by a year or so, but they are opposed to any reduction of those limits.

\$1299. If it were to be shown that a more efficient European staff could be produced by examination stan parlier age, would you be prepared to modify that view?-I have always held that, there are not only objections with regard to the recruitment of efficient men, but with regard to oung civilians coming out to exercise the powers they have to exercise at too early an age; that has been one of my strongest objections against a reduction, not simply the efficiency of recruitment, but the fact that nothing is harder, both for the people and the officers, than that they should be placed at too early an age in the responsible positions which they have to occupy and in the exercise of power which is vested in them at that age.

31400. Do you regard 25 as too young?-I will not say too young, but just about the proper

age to begin.

Sir Pherozeshan M. Mehta.

Continued.

31401. You do not agree with those who held

the view that 25 is already too old?—No.
S1402. That it is much better to get a young
man in early when he is more flexible and can assimilate himself to the conditions of the people better ?- Twenty-five is a flexible age as we know from our own experience of ourselves

31405. Some people of twenty-five think that they have their views already formed?-I quite accept that, that young people may think they are quite formed and perfect.

31404. Have you any proposals to make other than those contained in your Memorandum as regards the curriculum for the two years' probationary course ?-I have no very strong views on

that subject. 31405, You want an additional training in Low?—It is very necessary.

31406. But you are not prepared to make any further statement on that point?-No.

31407. Have you any views as regards the place where the probationers should go in England, to an where the producents should go in Juganat, to an approved University or anywhere else ?—I think arrangements should be made for his profitably employing the time either by sending him for a greater portion of the time to a University or by some other arrangement. Those are matters of detail which must be worked out separately.

31403. In the argument which you use in favour of simultaneous examination there are one or two remarks which I should like you to elaborate a little more, if you will. In the third paragraph of the Memorandum it is said; "The Association further begs to point out that when it is said that Englishmen alone can maintain Indian administration on English lines, the fact is that Englishmen in India are generally strictly opposed to follow English lines in Indian administration The Boglish files in the administration is largely not based on Boglish lines." What do you mean exactly by that?—I very emphatically say so. First of all, the whole Revenue administration-and I am speaking more of the Bombay Presidency than any other—is based on the agglomeration of all sorts of duties in the Revenue officers, as has been said explicitly, on Oriental lines, following the example of the old Oriental despots, who combined in themselves the power of settling the assessment and sitting in judgment. As your Lordship knows, a Revenue officer not only assesses and collects the revenue, but sits in judgment on all questions that can be raised in connection with it, He is the Court that decides all disputed questions about it, both original and ultimately in appeal, That, I say, is an Oriental notion from the old days.

31409. I suppose there is a very definite line of appeal and of revision in all these matters?— To Revenue officers only. The jurisdiction of the Civil Courts has been absolutely excluded by Law

in all these Revenue matters.

31410. Would you suggest that in these matters of Revenue, which are really matters of taxation, all questions in dispute should come under litigation through the Courts?—Just as in Ireland,

to Courts specially appointed for the purpose of determining those questions.

31411. Such a line of action as regards taxation certainly used to followed in England?—

Travition is expanded different for the court of the cour Taxation is somewhat different from the assessment and collection of Land Revenue, because there are many questions of land tenures which have to be decided in connection with them. I have always held that it would be beneficial to all parties, both to the Government which suffers the opprobrium east upon them, and to the Ryots, that special agricultural Courts should be instituted for the urpose of deciding these Revenue disputes between the Government and the cultivator.

31412. Would it not tend to au undue increase in litigation without any effective results?-Thiscry of undue litigation has been worked a little too hard. There is litigation on these matters in

every country in the world

31413. In a degree? — Yes, but I have always understood that in Scotland, for instance, they will fight about every inch of land, and if they are advised not to do so, as I believe is pointed out in Sir Walter Scott's novel of Guy Mansering, they would be dissatisfied if they could not go into a Court of Law.

31414. But, if they were given more power they would fight all the more, would they not?-It is human nature.

31415. If you allow full range to human nature, would you get any better administration?— It would produce contentment, which I consider is one very great aim. 31416. Would you like to allow litigation full

some in order to produce this contentment?—I have strongly held that,
31417. There is one further question I wish to ask in connection with the same paragraph. You say: "They are always contending that Criminal Justice should be administered in a ornamia Justice should be administered in a rough-and-ready way by Executive officers without the safeguard of Judicial procedure and Rules of evidence;" but is that the case? Is it the case that the Executive officer in his magisterial work carries out his responsible functions without the safeguard of Judicial procedure and Rules of evidence?—I do not say that he does do it, but he rebels against being obliged to do it. I say he is always wanting to have the power to do it, 31418. Does he not have to carry out his

work, as a matter of fact, under an extremely strict code of Rules ?-Absolutely so.

31419, Provided, he does that, and I suppose there is the machinery to see that he does do it, that is an important point, is it not ?-My meaning is that they are obliged to do it because the Law strictly obliges them to carry out those things. But Revenue and Exceptive officers have always contended that these Rules of evidence are too onerous, that they are not fit for a country like India. That is a contention you will find re-peatedly urged by Executive officers, who say the Rules must be done away with and that they must be allowed to judge as practical men how to deal out justice.

31420. Have you any evidence to show that such contentions have successfully been put into operation by these officers in contravention of their instructions?—No, I do not say they do, because they would be hauled up by the High Court. But, still all the tendency is to require absolute power in that respect.
31421. They are very completely under the

control of the High Court, are they not?-Yes, ultimately, they are under the High Court, but not in the first instance.

31422. You propose recruitment to the Judicial

Branch by three channels?—Yes.

31423, You wish a third assigned to the
Provincial Service, a third to the Bar, and the remaining third to the Civil Service ?-Yes.

31424. Do you think that Judicial officers course, so you came were ouncer officers recruited in these different ways would be regarded, both within the Service and by the general public, as of equal status?—I think so, because they would all have very good qualifications for the performance of Judicial work. All the threa

in their way would possess exceedingly good qualifications for Judicial work. quantications for a consist work.

31425. So that in appointments to the Judiciary
you do not altogether carry out the principle
which you were contanting for, when you arewered

which you were conforming tot, what you knowed in y questions on the subject of an examination in India — I pointed this out in my Memorandum. 51450. Where do you see any great differ-ence — There is a very great difference, because in all the three cases there is the preparatory qualification. The Subordinate Judiciary, as I quadration. The Substitute of successive, as a call it, would begin with a compilitive examination after having qualified themselves by legal University degrees. What proposes is that the posts for the Substitute Judicial Service should be recruited from people who have passed the Likk degree, which includes, in our Presidency and J believe everywhere else, the degree of consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of the consequently as a service to the legal of general culture, B.A., as they have to take that before they go in for the legal degree. Therefore, in the first instance a certain proportion of qualifi-cations is ensured. Then comes the competitive examination for entrance into the Subordinate Judicial Service. Then they work in that Service, and as they rise they get transferred into the higher Service.

81427. By another competitive examination?-No, because I think they have sufficiently gone

through the preparation.
31428. By selection?—Not by selection. In the first instance it is by open competition

31429, But in the final recruitment?-Selection under the guidance of the High Court. The appointments should be made from the higher posts of the Subordinate judiciary on the recommendations of the High Court, who have had

opportunities of watching their work. 31430. So that, you finally have to fall back on the system of selection which you deprecate so much .- Yes, but to a very limited extent. Nothing can be perfect in this world, avoid it, however, as much as possible. We must

31431. I do not quite see why you raise such a very strong objection in the case of the examination and do not, raise it here?—Because, in that one: case, it marks out a difference between the two classes of cardidates, which is a thing which has really to be looked at very seriously.

\$1452. One of the tests now of getting into the Provincial Service is a degree, is it not ?-Yes, with regard to the Subordinate Judicial Service

31433. I suppose, you would be prepared in these circuistances to medify the remark you make in your Memorandum where you say: "In this Presidency a College education and an University degree appear to be regarded as positive dis-qualifications for selection"?—Yes. But, what You read out is a quotation from Dr. Wordsworth's article.

31434. (Sir Murray Hosanick.) Supposing, the Secretary of State said that he would continue the open competition at Home, as it stands now, but, that in order to give Indians a better chance he would supplement the number of Indians who passed in the competitive examination by a local system of recruitment in India to make it up to

one-third of the members of the Civil Service. By one-third of the members of the Civil Service. By that means he would be putting no limit on the number of Indians that passed in the open comptri-tion at Home, but would only be supplement; the number of those who passed. Do you think that would be contenty to any statute?—It is contenty in letter and spirit to the pledges that haye been given.

31435. It would be placing the Englishman rather under a dissbility instead of the Indian?-I do not mean that. It would be the Indian who would be placed under the disability.

31436. How so more than he is now?-At present the disability is as near complete as possible.

31437. You think the present system is contrary to the statute?-I say so most distinctly. All my answers are based upon that.

31438. You would think an order of the sort, I refer to, would in some degree alleviate that disability from which you suffer now?-In a sense it would alleviate it, but it would make the distinction and difference which it is most important toavoid more marked than ever if it were done at this stage.

\$1489. You say in the fourth paragraph of the Memorandum: "If, however, what is meant by administration on English lines is the applicaby administration on suggest meet is not advanced-tion of principles deduced from the most advanced-education and culture and the progressive ex-perience derived from all ages and olimes, then. English education will qualify Indians to apply l'englais cineation wil qualify Inclans to agoly them to Inclina administration uniter the griding-statemanship of England as well as, perhaps-better than, England as well as, perhaps-better than, England as belonging to the ruling race." When you refer to the guiding statemanship in England go you mean the state-manship in England or of Englishmen in this. country?-In England: the Houses of Parliament and the Secretary of State.

31440. I should understand from your remark that in your opinion it is far better that the English should clear out of the country at once?— Not a hit of it; I have been one of the most. staunch advocates of the continuance of British rule in India

31441. But, you say, that English education in. India will qualify Indians to rule this country aswell as, and perhaps a great deal better than, Englishmen who have considerable projudices; and therefore the sooner Englishmen leave the countr the better according to this ?-That does not at all : follow from what I say. 81442. You do not think it does !—It does

31443. I should say from reading the para-graph that it did?—I do not see that at all. \$1444. When you say in the Memorandum "In this Presidency a College education and a. University degree appear to be regarded as positive disqualifications for selection," I understand that remark to be really a quotation from a letter-written by Dr. Wordsworth in 1870?—Yes.

31445. That has completely altered now?whom you find some good and great qualities, have a rooted dislike to an educated Indian. I once pointed it out in the Bombay Legislative Council, even against such a distinguished gentleman as Sir Frederic Laly.

Sir Pherozeshah M. Mrhya.

[continued.

31446. Your opinion now is that, with very few exceptions, every civilian has a serious prejudice and a great dislike to the educated Indian?-I beg you not to put it in that sweeping manner. It is not every civilian with few exceptions. What I have observed in the course of a very long and active life, in which I have mixed with Indians and Europeans very largely, is that there is an unfortunate circumstance that forces itself on your mind, namely, that somehow or other there is a rooted dislike to the educated Indian in the average

civilian. 31447. The average civilian has a rooted dis-

like to the educated Indian ?—Yes.

31448. As you put it here: "The discou-

stretch B.A. has been and still is the cherished blet neir of most Anglo-Indians "-Yes, 3149. That is not only your opinion but that is the opinion of the Bombay Presidency Association?—Yes, it is. I may mention that I do not base it simply upon what I have seen, but on the declarations of responsible Indian officials and

Angle-Indian officials. 31450. Who ?--Sir Charles Crosthwaite, in a Convocational Address which he gave just before his departure from India, frankly pointed out that there were difficulties in the way of putting Indians in the Service, and he distinctly admitted that it is for the purpose of keeping out the discontented B.A.

31451. I do not follow you. Do you mean to say that Sir Charles Crusthwaite said in a Convocational Address that the average civilian had an intense dislike to the educated Indian?— Not in those words, but he distinctly and frankly admitted that obstacles were put in the way of higher education for the purpose of keeping out the discontented B.A.

31452. By whom ?-By Government, that the Government policy put obstacles in the way of the promotion of higher education because they did not want the discontented B.A. together in numbers.

31453. That is quite a different thing. We none of us want the discontended B.A. in numbers: I do not suppose any of us want that?—I do, because I mean by the word discontented something different from what is understood by average Auglo-Indians.

31454. But, that is a very different statement from saying that the average civilian has an intense dislike to the educated Indian and that the B.A. is the cherished belle noir of most of them?-Sir Charles Crosthwaite's statement does not go up to that point. We have together a great many other statements and personal knowledge many other statements and personal knowledge and and experience. My personal knowledge and experience for forty years in public life has con-firmed me in this belief, and I deplore it, as I said

named me is the center, and a superse it, as I saw in the Legislative Council. 31455. Do not you think that possibly, if you brought out the civilian at a younger age, he might get over this spirit of intense distince of the educated Indian ?-The difficulty in the way would be the Anglo-Indian surroundings among which he must be. He eatches the tendency of the society in which he is most involved.

31456. But you do not think the fact that the Englishman comes out at 26 or 25 with a Univer-sity training in England, which has made him comewhat projudiced, has anything to de with this intense dislike of the educated Indian?—I do not think so. He acquires it when he comes to this country under the conditions in which he liver.

31457. You do not think that bringing him out younger would do any good?—I do not think so.

31458. You say in your Memorandum : "This Association firmly believes that no person can make a really efficient Judicial officer without combining a sound knowledge of the principles of Law with the power of appreciating evidence which only comes from legal practice in legal tribunals. Therefore you think that no civilian who comes out and becomes a Judge can be a really efficient Judicial officer?—Very much so, except that things might be modified if he passed his probationary period in Chambers and in English Courts.

31459. As he has not done that hitherto I may take it you think no civilian now can become an efficient Judicial officer?-Not in the perfect sense of the word, but, of course, there are exceptions; there are men of exceptional talent.

31460. You would admit that in the last thirty years you have had two most remarkably distin-guished Judges in your own Court in Bombay?— I can give other instances, Sir Maxweil Melvide and Sir Raymond West, but those are exceptional men altogether.

31461. There have been two or three men in the Madras High Court and two or three men in the Calentta High Court who were civilians who have done honour to the profession, men like Mr. Justice Holloway and Mr. Prinsep, but you say they are exceptional men?—Exceptional men altogether.

31462. And you think that the average Judge in the Civil Service is not an efficient Judicial Officer?—Because, he cannot appreciate evidence as well as a Judge should do. That is an opinion which I have formed after long acquaintance with Judicial Courts of all grades,

The High Court Judges who have been here have told us that one point about the Civilian Judge is that he is a direct appreciator of facts in regard to his cases, but that is not the view which you take ?-- No, and other Judges of the High Court have not taken that view. Sir Charles Sergeant said, before the last Public Service Commission, that Native Judges were far superior to District Judges in appreciating evidence. That was the experience of a Chief Justice who presided over age experience or a uniter suspect was presided over the Bombay High Court for several years with great distinction. He was reputed to be a judge of sovere impartiality and independence of character.

31464. Further on, in your Memorandum you say: "The recruitment to the Subordinate Judi-ciary thus constituted should be by a competitive examination to which all graduates of Universities holding the degree of Bachelor of Laws (which includes the degree of B.A.) and having been in practice for three years should be eligible." How would you define practice there?—In a general way. They must bring certificates of having attended Courts.

31465. At what age would you now hold this examination?—The Bachelor of Laws cannot be acquired before a man is 21 or 22, if he does not fail at any examination. If after that he attends Courts for about three years it will bring him up to the age of 25 or 26.

to the age of 23 or 20.

31465. Can he get his certificate as a practising Barrister at one after passing his LiLB, and become a practising Placeier immediately after taking the degree?—Tea.

31467. There is no period of apprenticeship necessary, as it were ?—No.

10th March 1913.7

Sir PHEROZESHAH M. MERTA.

Continued.

31468. He would be about twenty-five then?-Or 26; 25 would be the carliest age at which he could do it. \$1469. Do you think you could get the best men to go in for this examination?—I think so,

there is such a demand for these places, 81470. You would not reserve any of these appointments for English Barristers?—They will

come in in the second-class. 31471. By nomination?—As men who have practised in the Courts, Barristers and Advocates who have practised in Court for five years.

You would include the Barristers from England in them?-Yes, who have practised in

Indian Courts. 31473. Would they have a knowledge of the vernacular suitable to allow them to act as efficient Judges ?-If they ever intended to go in for appointments of that character 1 think they would

take care to qualify themselves by a knowledge of some of the vernaculars.

You say: "It is scarcely needful to 31474. add that if the above proposals for the recruitment of the Indian Civil Service were adopted the Provincial Service should cease to exist." What are you going to replace it by ?—I meant only the listed posts in the Provincial Service.

31475. Do not you think that would take

away a great many prizes from the Provincial Service which now go a great way to making it a desirable Service? - It will take away some.

\$1476. Do not you think the Provincial Service will suffer very much in consequence?—The men who enter the Service may lose in one direction but will gain in another.

31477. How will they gain?—By being put into the Sabordinate Judicial Service from which they can rise up to the highest Judicial posts.

21478. I am talking of the Provincial Executive Service. Are you going to abolish the Provincial Executive Service?—Yes, take away the listed posts from them.

\$1479, How will they benefit ?-- They will not bouefit, because they have not the high qualifications which other people will possess.

\$1480. But the fact that they have listed osts to look forward to is a great attraction to the Provincial Service?—Yes, but they are very scarce and at a very great distance

31481. It may be so in Bombay, but not in other places. It is one-sixth of the appointments

other praces. As it is contained almost?—Not in Bombay,
31482. Supposing, we increase the number of attractions of the Provincial Service ?-- Certainly

it would, but it has never been done up to now.

31488. Do not you think it is of importance to keep up the popularity of the Provincial Service?—Yes. I think the class of men who will go into the Provincial Service will not be dissatished if they do not get to the higher posts. It is distinctly an inferior class of people who resort to the Provincial Executive Service.

31484. You think a distinctly inferior class of cople resort new to the Provincial Executive

Service?-Yes.

81485. Do not you think that if we had simultaneous examinations in this country very much the same class of men would go in for them as go in for the Provincial Service now ?—No; you will get a very much better class of people.

31486. Is not the Provincial Service recruited from B.A.'s and B.L.'s now?—Partly.

31487. To a great extent, is it not?-There has been a larger infusion of B.A.'s in recent times

annes.

31498. Do not you think those men would have a very good chance at the simultaneous examination?—Then they will go in for it.

21483. Is there any reason to suppose that a different class will go up for the simultaneous than goes up for the Provincial Service?—Yes, because all the best men who are graduates will strive for the higher Service.

31490. Do not they go in for the Provincial Service now?—Not to a large extent.

31491. Where do they go?-Into different things altogether. That is why the profession of Law is so attractive 31492. You think the best men now go in for

Linw and not the Provincial Service ?-Yes, Law and not me Provincial Service !--1es, because there the prizes are much higher, 31493. (Mr. Fisher.) Has your Association ever appointed a Committee to study the educational side of the Civil Service problem ?--No.

31494. You do not present to us any recom-mendations with regard to the subjects to be offered for the open competitive examination?— No. What we think is that the question of the subjects would have to be reconsidered from time to time, and that is why we have not gone into the details of the educational syllabus.

21495. You are aware that the present system of education has been devised in order to obtain the best available English brains for the Indian

Service?—I suppose so. 31496. That is to say, that the system of examination as we have it now was not constructed with a view to Indians but with a view to Englishmen ?-Yes, but I maintain that a system of broad liberal education which is good for Englishmen is also good for Indiaus,

31497. You do not think Indians should be encouraged specially to develop an acquaintance with the classical languages and literature of the with the duassed a language and interactive of the East ?—Yes, I think they should be encouraged to do so as a part of a liberal English education. 31498. A liberal Indian education?—No, a

liberal English education. We have learned to appreciate our own classical languages, Sanskrit and Arabic, in consequence of the impetus which has been given to us by English education. 31499. My question was a little different. I

wish to know whether you would like to see Indians who come up for the open competitive examination in England offer Arabic, Sanskrit, Persian, and the languages and literatures of the East?—They should be given opportunities of taking them up, and English people should also be encouraged to take them up, because nothing will be a greater softener of their accritises as much as a knowledge of the great classical languages of the East.

But, you are aware that a liberal education in England is at present very largely based upon the classical languages of Rome and Greece?—Yes.

31501. And to that extent therefore the ordinary liberal education of the young Englishman necessarily is different from the ordinary liberal education of the young Indian ?- Po that extent, because there is a greater preponderance of Latin and Greek than in the case of Indians.

31502. If you are desirous to obtain for the Service of India the best Indian ability, would not it be reasonable to devise a scheme of education which should give a very large place to the classical languages of the East as well as to English literature and that amount of Western culture which an educated young Indian might reasonably be expected to absorb?—Yes, I quite agree with you, except that I do not think too much prominence should be given in the first instance to the classical languages of India. The matter can be so arranged that some can take the classical languages of Europe and some the classical languages of the East. I have a great veneration for the culture which can be imparted by a study of Latin and Greek. I know that Greek is now going out even in the English Universities, that there is an attempt not to make it compulsory, but still I have a great reverence for the culture founded upon Latin and Greek .literature and history.

31503. Is not real equality between Indians and Englishmen attained if you provide for Indians a scheme of education calculated to bring the best Indians to the front, and for Englishmen also a scheme of examination calculated to bring the best Englishmen to the front ?-No, I do not think I think you can devise one system of education which would meet the requirements of

both Englishmen and Indians.

31504. In spite of the fact that the early edu-cation of the Indian boy and of the English boy is necessarily so divergent?—Divergent only in the matter of the classical languages, because all the other subjects are equally important to Indians and to Englishmen.

31505. It has been submitted to us that if simultaneous examinations were established young Indian B.A. would be well advised not to go in for the M.A. course at all, because the M.A. course at the Indian Universities is a course in one subject only, whereas in order to succeed in the competitive examination it will be necessary for the candidate to have studied three subjects. Therefore if you had simultaneous examination no able Indian boy would go in for the M.A. degree, with the result, I take it, that the value of the M.A. degree would be instantly depreciated. On the other hand, it has been pointed out to us that an Oxford man who has taken his Oxford degree in classics can get into the Indian Civil Service without any trouble. That is to say, you have an examination which is accurately adjusted to the English University course but which is far divergent from your Indian course. Will not it therefore damage Indian education if you force all your ablest boys to go in for that examina-tion?—We can alter our University courses here. You have assumed that the M.A. takes up only one subject, but it need not necessarily be so for all time. We have been changing our courses over and over again. There is nothing to prevent us from adjusting our courses to new and rising requirements.

\$1506. You think that the introduction of simultaneous examinations will lead to the adjustment of the University courses in India to a scheme of examination which has been specially devised for Englishmen in England?—To some extent it will, but that will not be a harmful

31507. You are aware that if you did that the course of educational history in India would diverge completely from the course of educational history in England, because whereas in England the competitive examination has been adjusted to the University courses, in India the University courses would be adjusted to the competitive examination?-There will be no harm; the result

will be the same. 31508. Are you aware that in Oxford and in Cambridge the existence of this competitive examination is by some regarded as an educational evil?—Various opinious are formed with regard to the subject; sometimes one reads one thing and sometimes another. A thing is altered in a very short time and another is taken up. The Old Universities are themselves in a state of conflicting opinion about these questions.

Spinion, but, I think, the general sense is that there is an evil in the competitive examination which can be remedied if the competitive examination is adjusted pretty closely to the University courses ?-I would not venture into a discussion of these matters founded upon a close knowledge of

University requirements in England, 31510. But, you would admit that the educational interests of India are far more important than the question as to whether India gets five, six, ten, or fifteen more members into the Indian C vil Service ?- Tuey do not conflict, and could not except by a miracle.

\$1511. But you would admit it if by a miracle they did conflict?—We do not live in the

days of miracles.

31512. But if by a miracle, assuming miracles to exist in Iudia, the interests of educational advance in Iudia conflicted with the admission to simultaneous examinations of a greater number of caudidates, would you not say that the educational question was really more important; -- 1 rooms or, "Yes" to your question but for another consideration, which is that the introduction of simulations will do great good in nestion was really more important?-I would say tancous examinations will do great good in connection with the contentment of the people, in their realising that British rule does not stamp them as an inferior people only to be ruled. That is a great gain.

as a green gain.

31518. I gather from your answer that the question has been rather treated in India as a political question more than as as educational question?—A political question as well as a question of efficiency of administration.

# (Adjourned for a short time.)

31514. (Mr. Macdonald.) I should like to take you back to the point where my colleague Mr. Fisher left you at with reference to examinations and University curricula. Have you heard that within recent years our two old Universities, and Oxford in particular, have been influencing all our public examinations so that they may fit in with their work ?-I have heard that.

31515. And you heard Mr. Fisher say that the examination for the Indian Civil Service has been designed so that it fits in with the Oxford carrioulum?-Yes.

31516. If you had a simultaneous examination here upon the same line, the influence that that would exercise upon Indian education would be would it not, to make it the same as the Oxford enriculum?-Very much so.

31517. So that, if you are going to follow the advice of people who want the Universities to adapt themselves to Oxford you could not do better than come under the influence of simultaneous examination ?- Bractly.

10th March 1913.1

Sir Pherozeshan M. Menta.

[continued:

31518. Would there be any other influence such as the promotion of post-graduate studies?
Take the Science part of the Indian Civil Service
Examination. In so far as you do not provide for
that standard of teaching now, and in so far as the establishment of simultaneous examinations are concerned, would the influence be to provide opportunities for post-graduate study which would bring your extention tuition up to the best English lavel — Yes, I think it would.

31519. Against that you have to face the fear of cramming. What is your view of that ?—You have asked a question about which I have strong opinions. They do not agree with the popular view of the thing. I am not attaid of cramming, as most people are. I consider that cramming kept within proper limits is an useful instrument for education. I remember reading an article in Frazer's Magazine\* in which it was pointed out that the evil of cramming is much exaggerated, while, on the other hand, its benefits are not recognized. All education must, to a certain extent, depend upon cramming. Education is the training of the intellect, but it has another object, the acquisition of knowledge. I always consider that education consists of two things, the acquisition of knowledge, and the training of the mind and intellect. To some extent the acquisition of knowledge does require a certain amount of

cramming, and, so far, it is not deleterious.

31520. Speaking as one who is closely associated with the University work in Bembay, and who holds certain official posts in connection with it, you think that the real educational gain of simultaneous examination would be much greater than any disability that might come from the establishment of cramming ?-Yes, certainly.

31521. With reference to the demand for simultaneous examination, we have been told that it is somewhat shekening: you do not agree with that?—It has slackered in one sense. "Hope deferred maketh the heart siek." Wa have been so long expecting simultaneous examination, especially at the time of the last Public Service Commission, and we were so sanguine that we were really going to get something in that direction, that we have had a severe disappoint ment; and if there has been a certain amount of apathy following a disappointment of that sort you may say that the demand has slackened, but,

really and substantially, it has not done so. 81522. You think there has been no chapge of opinion?-There has been no change of opinion

31523. Again, from the educational point of view, what is your opinion with regard to the

proposal of taking Indian children of the age of thirteen or fourteen and sending them to-England?—I can only wonder that such a proposal should have been seriously put forward, hese should have does solutely pur forward. In the first place, do people really think that parents could entertain such a proposal? In the very beginning of the thing, is it possible to imagine that Indian parents will consent to send. children at the age of thirteen or fourteen to England, even if ultimate success were assured so far as passing the Civil Service Examination is

concerned? 31524. Take your own community, which is: very liberal-minded and less bound down by the conservative feelings which prevail so commonly there i do you think that many Parsis would send their children to England at that age?—They would never send their children by themselves. There is, however, this difference in the case of Parsis. Just now there is a little tendency among Parsis to take their children with themselves to-England for their education even at that early age. There have been a few cases of that sort, and they may, to a certain extent, increase.

31525. But those would be very wealthy people?-I was just going to say that those would be wealthy people who can afford to stay

in England in that way,

31526. But taking the generality of educated
people?—They never would consent to such a thing

31527. With reference to the question of ageyou are of opinion that a man coming out attwenty-five comes out at the best time?—At about: the best time.

\$1528. Do you also hold that the age of . twenty to twenty-two is the best time for the competitive examination?-Yes, I think it is the best time for the competitive examination.

31529. Why do you put that high age forthe competitive examination? Supposing the competition took place at seventeen to nineteen, after public school, and following upon that there was a training which would make them more: expert upon Indian questions and Indian problems, that would bring them out not much earlier than they are brought out now: you would get about the same age for coming out only a much earlier age for the open competitive examination. What would you say with regard to that?—I did not consider that, because I thought a practicable scheme would not allow too long a time for training in England. That was my only reason for putting it the other way.

31530. There are two sorts of Schools. There is the School, the Macaulay School, the Mid-Victorian School, which says, give a man to a fairly late period in his youth a general education, a classical education, and so on, and then put him into work. And there is the other, the somewhat more modern and Scientific School, which says, take a man earlier, take his general education at an earlier period, and super-impose upon it a technical education, technical in view of the work which he has to do. Which School would you associate yourself with in connection with the Indian Civil Service?—The Mid-Victorian, Indian Civil Service?—The Mid-Victorian, Perhaps, I am old-fashioned, but I am strongly inclined that way.

31531. Whilst it is quite true you may get a man with more mature judgment, say, at the age of twenty-five, has not that man also cettled much more in his habits than if he was taken two-

<sup>\*</sup> An immense dad of meanness in third shoat 'communities' No amounts and and meanness in third shoat 'communities' No amounts and and immense in third shoat 'communities' No amounts and the legislate of the city of the city of the legislate of the city of th FRASER'S MAGAZINE-October 1873.

[continued.

or three years carlier?-Of course he has. He would be less formed at the earlier age than the would be sees to made as one carrier age than are later age. But I still consider that twenty-five is not too late an age for further assimilation. 31532. In so far as the English character-

istics are not Indian characteristics, and tend to range themselves in water-tight compartments away from Indian characteristics, do you think that there is more hope for the man of twenty-two than for the man of twenty-five in assimilating himself to his circumstances?-No, for this reason. A young Englishman of twenty-two coming out to India is more impressionable to the society which is immediately around him, and, according to my notion of things, he would imbibe prejudices which he might not find it easy to give up: whereas, a man of twenty-five would not be quite so impressionable to the Society which surrounds

31533. But the society which surrounded a man of twenty-two in India would not be purely English Society, would it ?-Largely : because an

Englishma will not mix easily with other people.
31534. Supposing you took the precautions, in his probation, of course, to make him mix with the best Indians in the service, what would you say then ?-It would make no difference, though I am afraid it would be very difficult to take precautions for that purpose.

\$1535. Is not a man of twenty-five much more likely to associate with his own race than a man of twenty-two?—I find it somewhat difficult to answer that question. What I was laying stress upon was the impressionability, which is of more account in these things than other circumstances.

31536. Is it not the case that a man of twenty-five has selected whom he is going to work with far more definitely than a man of twentytwo ?-Yes.

31537. And that, consequently, instead of a man of twenty-two being more likely to adopt purely English prejudices when he comes out here, a man of twenty-five is much more likely to adopt English prejudices?—It might be the one extreme or the other. He might take to the one thing or the other.

\$1538. You referred, I think in answer to a question put to you by the Chairman, to Revenue cases which were dealt with exclusively by Revenue Executive Officers, Rescutive Officers acting as Judicial Officers. Would you mind giving us the process a little more in detail; what kind of case have you in mind?—Any questions affecting the assessment and collection of revenue.

31539. Where would the dispute arise: try and visualize a particular case in your own mind?—Shall I tell you my own case? I have been involved in these cases, and I have had to go up twice to Government.

31540. Supposing I was the ryot and you were the oppressive Executive and Revenue Officer?—I do not like that position, but I will accept it.

31541. Supposing you have done something I object to, what should I have to do?-I will give you the case of a building fine. I dispute it. 31542. You are now representing the ryot -

Yes 31543. Where would you first go to?—To the Mamlatdar, and he only refers for Orders to the Collector. The Collector gives the Mamlatdar certain Orders which the Mamlatdar passes on to me. I am dissatisfied with it. I then wake an application to the Collector. He passes an Order upon it. He sits in judgment. It is,—The Cellector versus So and So. He states the facts and he passes an Order. I am dissatisfied with it. I appeal to the Commissioner, who, if he chooses, makes some inquiries into my case. He sends for me, and he passes a Judicial Order upon it. I am dissatisfied with that. I then appeal to Govern-

31544. What do you mean by "Govera-ment"?—The Executive Council. Then they pass whatever Order they think fit. After that I have no remedy.

31545. That is the final stage?-Yes.

31546. You cannot run your appeal on to the regular Judiciary ?-I am prevented by law from

(Chairman.) What is a building fine?-When any portion of agricultural land is used for the purpose of building a house upon it. The Government have discovered that it is liable to a special fine and a special assessment. Speaking of my own case, I purchased some agricultural land in the village of Deelali. I began to build. Various questions arose, and the Collector passed an order that I secual pay a fine of Rs. 17,000. That was on land worth Rs. 4,000, Of course

I naturally appealed.

31548. (Mr. Meedonald.) The payment down is a capital sum?—Yes. And besides that there is the assessment. That is a question which has been much agitated in the Bombay Presidency. There is the case of Salsette where the City of Bombay wanted to extend but it could not extend People could not get land in Salsette, which is only a continuation of the Island, because such heavy fines were inflicted when land was used for building purposes. These matters were keenly agitated in Bombay. I remember my friend, the late Mr. Tata, presented a strong memorial to Government because he wanted to extend the City

into Salsette. This sort of thing prevails all over the Presidency.

31549. (Mr. 38y.) The illustration you have
given about the building fine arises under the Land
Revenue Code 7—Yes.

31550. There is a section in the Code which
provides for the levying of fines on agricultural
land discrete 1 and her warroses 2—Yes. the Presidency.

land diverted to other purposes? - Yes.

31551. In your case was it a dispute about a principle of law, or was it simply a dispute about the amount of the fine?—The amount of the fine, and the extent of it. The building fine was formerly levied only with regard to the piece of land upon which you built. They tried to extend it to all the surrounding compound land which

had been previously excluded. 31552. Was your objection to the principle of the law under which this unearned increment on the land was secured to the Government, or was it simply to the amount of the fine that was levied?-I did not contest the law, because I could not

It was the amount of the fine?-81553.

Necessarily, 31554. If there had been a question as to whether any fine was leviable or not, that would have been open to trial in the Civil Court?—No. 31555. Not as to a dispute as to the amount of

a fine, but as to whether any fine at all could be levied under the law; could not that have been taken to the Civil Court ?-No.

10th March 1913.7

Continued.

31556. Any question of title with regard to land can be taken to the Court?—Certainly, as between private parties. It certainly could be taken to a Civil Court.

31557. I think you told us that there were about three hundred members of the Bombay

Presidency Association ?—Yes. 31558. When was the last General Meeting of the Association held?-About two years ago.

31559. About how many members attended it?—About one hundred. Our members are scattered all over the Presidency. The three hundred are not people who are resident in the City of Bombay alone. They come from all parts of the Presidency, and, unless there is something very stirring, they generally do not find it con-venient to come down to attend the General Meeting

31560. You stated that it was managed by a

governing body ?-Yes.

31531. Of how many members ?-Fifty. 31562. Was this memorandum which has been

put in by you passed by the governing body?— Yes, certainly.

31563. At a meeting of the governing body?-Yes. Three meetings were held for settling the draft, and it was finally passed at a meeting of the

31564. About how many members were present?—At the last meeting there were a large number present, over twenty; I cannot, however,

tell you the exact number.

31565. (Mr. Gokhale.) You stated in reply to the Chairman that you have been in the Bombay Legislative Council for twenty-five years?

—Yes. I was first nominated by Lord Reay under the old system when there was no election. Ever since the Councils Reform Bill, 1892, came into force, I have been a member of the Council,

31566. You were also in the Viceroy's Legislative Council for a number of years ?-Yes; for

three terms.

31567. You have represented the Bombay Corporation in the Bombay Legislative Council ?-

Yes; ever since 1893.

31568. How long have you been in the Bom-hay Corporation itself?—Forty years. I have been a member ever since its foundation in 1872; and before that I was on the Bench of Justices, which was then the Municipal organization in

Bombay. 31569. I take it that you advocate simultaneous examinations because you want the equal association of Indians and Europeans in the Civil Service of this country ?-Yes.

31570. You would have nothing less than equal

association?—Absolutely equal association 31571. And you think that such equal associa-

tion cannot be secured by any other means?-That is what I have long felt.

31672. You have no fear that under a system of simultaneous examinations the service would be

swamped by Indians?—None whatever, 31573. Supposing, simultaneous examinations were instituted in this country, what is your forecast: would the English element continue to be in the majority, or would the Indian element tend to swamp?-For the next twenty-five or thirty years one can say positively that the English element will

be in the majority, and I never like to go too far.

31574. If ever the situation changes, and signs appear that the English element is going below the limit thought desirable, do you think

that the problem could be dealt with then ?-Yes. it could be dealt with then. 31575. It is not necessary to deal with it

now?-No.

31576. Mr. Fisher put a question to you that if simultaneous examinations were instituted, all our brilliant B.A.'s would go for the simul taneous examination, and that very few would go in for the M.A. Do you accept that view?-I should have liked to answer Mr. Fisher a little more fully. I think, on the contrary, the result would be that many men would go in for the M.A., because that in itself would be a very good preparation for the Indian Civil Service examination

31677. If they went up for the M.A. under your rules, the age-limit for the Indian Civil Service would be exceeded. Sixteen years is your age for matriculation; four years more for the B.A., and two years more for the M.A., and that is only in one subject. Mr. Paranjpye stated that an M.A. would have no chance in the Indian Civil Service examination, because he would have studied only one subject thoroughy and would be at least 22; so that if an Indian wanted to go up for the simultaneous examination here he would have to specialise after the B.A.?-Probably. that would be so.

\$1578. Do you think that all the best B.A.'s would go up for the Indian Civil Service?-There will be various circumstances which will influence a man's choice not merely because he happens to.

be the best B.A.

31579. Already there are instances of the best men having had the choice of the Indian Civil Service, and their not having gone in for it?-There are many who have a good opinion of themselves and who would prefer to go in for the legal profession, where the prizes are considerable and whom no Indian Civilian could ever hope to rival. The men who are most successful at the Bar can make an income far in excess of anything that the Indian Civilian can make,

31589. They generally take the M.A. first, and the LLB., and other legal examinations after-

wards ?—Yes.

31581. Do you not also think that with the growth of facilities for research and original work and that kind of thing, those who are interested in education itself would prefer an educational career to the Indian Civil Service?—Yes. The state of things in India is such that there are many openings in those directions; and a good many people will prefer it. 31552. So that Mr. Fisher's fear is not well

founded ?-That is so.

31583. Even if a man goes in for the Indian Civil Service and fails, there is nothing to prevent him from going up for the M.A. afterwards?-Nothing whatever,

31584. The ranks of the M.A.'s need not be seriously depleted because of the Indian Civil Service?-No.

31585. The opinion has been expressed by several European witnesses that if a simultaneous examination were instituted here it would have a deleterious effect upon University education. I do not know if you are of that opinion, because I do not know it you are to accompany, organized in reply to Mr. Fisher you said that possibly our corrocalum might undergo changes after the institution of the Indian Civil Service simultaneous examination?-It would have no

continued.

deleterions effect on education. It would be for the good. That is what I maintain. 81556. You are aware that no change can be made in the University curriculum without the sanction of Government? - I know it very well

31587. Therefore, if there was likely to be any deleterious effect produced, in any case the any octeterous cross protocod, in any case the Government would be there to prevent traat:— Government has watched very closely wint takes place at the University, especially in recont years. They watch every change made in the University Regulations, and they give their concert only after very careful consideration.

31588. Perhaps they watch too closely?—That

is my view of the thing.

31689. Then, again, the Government appoints four-fifths of the Senste?—They appoint 8J out of the 100 Fellows. There are ex-offices Fellows who are high Government officials. The twenty men are not open entirely to election, but Government can to a certain extent limit their election.

\$1500. So, at least, four-lifths of the Senate is

appointed by them?-Yes.

31591. So that no change is likely to be recommended to which the Government are op-posed?—Absolutely, no. In the first place you have to obtain the sanct on of the four-fifths who not only are appointed by Government, but the majority of whom are Government officials, or Educational officers.

31592. And, if changes are recommended which the Government disapprove, Government will stop them? - Government will have the opportunity of putting a stop to them if they are not considered

destrable.

31593. You said, in reply to the Chairman, that any special additional facilities that may be gives to us in India to get into the Indian Civil Service in addition to the London door would

stamp us with inferiority; for instance, if a separate examination is given?—Yes. 31594. But I put to you this case. Supposing, the Civil Service Examination, instead of its being held once a year in London, is held (the same examination, under the same controlling authority, the Civil Service Commissioners, the same examiners, and the same everything) every six months or twice in the year once in London and once in India, a certain number of places being offered at the London examination, and a certain number of places being effered at the Indian examination, open in both cases to all His Majesty's subjects of all races and creeds, would you have any objection to such a scheme ?—If I could not get the one which I prefer, I would accept this.

You do not think that that would 31595. contravene the spirit of the Statute of 1833 ?-No. but it might bring out a difference between the successful candidates of one country and the successful candidates of the other. Otherwise, if I cannot get simultaneous examination I would accept this

31696. If the examination in India was open to all His Majesty's subjects, and if it was held under the same authority, and if the Civil Service Commissioners certified that it was of the same difficulty, would your objections not be met?Then all the most serious objections would be removed.

31597. Coming to your Memorandum, I see that you carry the fight into what might be called

the opposite camp?-I hope not, I only state facts.

21598. You advocate simultaneous examinations not only on the ground of political expediency and wisdom, but also because you think that it would lend to increased efficiency of the Service?—I have been convinced of that fact for a very long time,

31593. Will you explain what you mean, a little more fully? Do you mean increased efficiency of the Service by a larger introduction of the Ladian element?—I have more than once pointed out that able as English Civiliansare, and possessing, as they do, many great qualities, they are, and they remain, almost to the end of their career (I am not speaking invidiously) ignorant of the ways and thoughts and habits the people, to a remarkable extent. I have had an opportunity of saying this and pointing out what is really the knowledge or rather the ignorance of English Civilans of the Natives of the country in a speech which I made in the Bembay Legislative Council as far back as 1901. I pointed out that the unfortunate difficulty which Englishmen have in acquiring Indian languages keeps them apart from the people in a way which would not be patent to people, except those who have been in close contact with these matters. I have wandered all over the Presidency in my professional career, going from village to village, and have had an opportunity of secing the work of English Civilians perhaps more than any other person; and even when their intentions were of the very best, I have found that the ignorance of native ways was a great obstacle in the way of their understanding and dealing with the people. It is wonderful how Englishmen cannot acquire the language.
31600. In the case of Indians the advantage of

knowing or being able to acquire the language is great? It comes to them intuitively. So that, if you could combine the two things, as would be the case, if Europeans and Indians were members of the same Service, and mixed with each other

on equal barms, the efficiency of the Administration would be largely increased. 31601. Each side would supplement the good points of the other, and the total combination would be for the good of the country?—Yes.

31502. You say: "Most of the great English-men who knew Indians closely and intimately have borne generous testimony to the moral qualifications of Indians". Will you mention some of the names you have in your mind?—I will give you the names of all the principal people, Sir Thomas Munro, General De Graat Jacob, Sir John Malcolm, and Mr. Elphinstone. There are various other names which I could give you. In writing this Memorandum I have had in mind the selection of the opinions of the most distinguished administrative Civilians and Military Officers who have expressed their views upon that subject.

\$1603. They knew Indians in pre-British days, when Indians occupied positions of authority and command and exercised responsible functions in Native territories?-Yes.

31604. Indians have not had similar oppor-tunities since?—No.

\$1605. Therefore, the opinions of the present day Europeans are not entitled to the same weight as opinions expressed by those Englishmen who saw Indians actually working in great and responsible positions?—If I may be permitted, and I am not taking up the time of the

Continued.

Commission, I should like to refer to an account of the way in which an Indian could administer Revenue and other matters. I had occasion recently to read up the history of the Sángli State. The Chief of the State, in the first half of the 19th century, Chintamaurac, was a personal friend of the Duke of Wellington. If you will allow me to do so I will read you a description of him so far as his administrative powers were concerned. "Chintamanrao (he was the Chief of the State) was a competent Administra-tor. The key-note of his administration was to keep his subjects contented. He was of a comprehensive and versatile mind and there was no subject affecting the well-being of the State which did not attract his attention. He promulgated his Code of Civil, Criminal and Revenue Procedure in 1857, but he had been collecting materials for this Code for over ten years. The codes of laws promulgated by Mr. Elphinstone were, of course, before him, also the code issued by Tipu Sultan of Mysore, and the rules and regulations issued in Kolhápur and in other places. He took considerable interests in mining operations, particularly, gold mining in Kupalgad Hills, which he encouraged. In one of his tours he found marble stones at Vervi in the Shirhatti Taluka. He set about exploring for it and for other stones, cto., in Shrhatti. In 1835, he issued orders reserving the right of the State in respect of gold, silver and precious stones, while allowing free opportunity to all to explore for lithe stones, manganese and other minerals. He made unsuccessful efforts to

introduce a silk industry into the State, etc." \$1606. That Chief had worked with the Duke of Wellington ?-Yes; and the Duke of Welling-

ton had the highest regard for him. 81607. With regard to the suitability of a competitive examination to Indians, the view has been expressed that while a competitive examination may be a good test for Englishmen it is not an equally good test for Indians, because it tests only intellectual qualities. You share the view with Lord Sherbrooke that intellectual and moral

qualitie is are interdependent?—Yes, absolutely. 31608. To what extent do you think competitive test a proper test for getting Indians of the right stamp into the Public Service?—I think it is as good a test as in the case of English

31609. And you cannot think of any other which is equally good ?—No, that is so.

31610. You mention certain qualities, and you say: "If, however, what is meant by adminis-tration on English lines is the application of principles deduced from the most advanced educaprinciples deduced from the most advanced educa-tion and culture and the progressive experience derived from all ages and climes, then English education will quality Indians" and so on. Do you mean by that, English education as imparted here, or do you mean, English education which has had the finishing touch of residence for a period in England ?—In the first place, I would say, the English education imparted in India; but, as in the case of all educated people, they are always the better for going and studying in other countries and especially that is the case of an Indian studying in England, which is the ruling power.

81611. You think that the English education which we receive here gives us a fair amount of those qualities which are thought to be necessary. for earrying on Administration on English lines?

Sir Alexander Grant, who was the Principal of the Elphinstone College, and Director of Public Instruction, laid it down in one of his reports that English education made his Indian students more trustworthy, more reliable, and more courageous in the exact proportion to their scholarly attainments, in the exact ratio; and that is the opinion which I have always held.

\$1612. You think that the education we receive in this country develops not only our intellectual' qualities but also our moral qualities to a corresponding extent ?-It develops both the moral and

the intellectual qualities.

31613. And if the men who are selected are sent to England as you propose, all the necessary requirements of the situation would be met?—Yes.

31614. (Mr. Chaubal.) With regard to your scheme for the recruitment of the Provincial Civil-Service you say, "The Association are of opinion that one-third of the recruitment should take place" from the body of legal practitioners, Barristers and Advocates." Do you advise it for the Pleaders?—The Pleaders can come in in one of the three proposals.

31615. Which one?-The Subordinate Judiciary. All Pleaders would be eligible for that, The LL.B.'s are Pleaders. That one-third would

be open to all Pleaders.

31616. Under the first part of your scheme, as I understand you to say, you submit LL.B.'s to the same competitive examination, and get them into the service ?—Yes.

31617. If your scheme is that B.A.'s and LL.B.'s have to sit for a certain examination, and that the Provincial Subordinate Judicial Service is to be recruited from that class by competitive examination, there is no scope for Pleadership there?-Are not LLB.'s Pleaders.

31618. They are qualified to be Pleaders if they do not go in for the competitive examination

and enter the service?—LLB.s after three years.

31619. That is as it is at present. What you want is a competitive examination. One-third is to be recruited in this way from the Subordinate
Judges of the Provincial Civil Service after they
have passed the LLB.?—No, they have to
practice for three years. That is my scheme,
They must be in the first instance LLB's. They must become Pleaders, because it is coupled with practice for three years. LL.B.'s have developed into Pleaders after three years' practice. These are to be subjected to an examination for the

Subordinate Judgeships, 31620. What is the hardship of a practising Pleader going in under Clause No. II? -The probability is that a practising Pleader would not have the same qualifications for the knowledge of the principles of law which an LLB, would

certainly have.

31621. Do you suppose a practising Pleader-is not an LLB.?—I assume he is an LLB. 31622. Why should not a Pleader of more than five year, standing come in under your. Scheme No. 11 ?-He certainly could; because to be a practising Pleader he must have had an LL.B. Degree for five years, and he has already practised for three years. If he has practised for five years all the better for him. He is equally eligible as a candidate for that examination.

31623. Do I understand that you have no objection to insert the word "Pleaders" where. you have given the two classes, Barristers and Advocates, in Clause II?-I would have no

Continued.

objection if the period of practice is somewhat extended,

31624. Under the present circumstances a Barrister of five years' standing has as much practice as a Pleader of three years' practice?—I am not able to agree with you there.

31625. My impression is that, as a public man, you have been taking some interest in this question about the separation of the Judicial and the Executive?-Yes, I have, for some years

31628. If my impression is correct, you have worked out a scheme for the separation?—Yes.

\$1627. And in that scheme you considered that the financial difficulty was not very considerable ?-I think it was not very considerable.

I laid it before the Legislative Conneil in 1893. \$1628. You gave a practical instance as to why you want a separation, the building fine in connection with the Land Revenue case you mentioned ?-Yes.

31629. In that minute of yours you mentioned cases coming under the working of the Salt, Opium, Arms and Land Revenue Acts?-Yes.

31680. What is the evil or mischief which the public complains of as regards these Acts?-In many cases it amounts to persecution, to put it shortly. There were instances with regard to the Salt Act which it would surprise an ordinary man to find could be dealt with by a Magistrate in the way in which they were dealt with. Take the case of the poor woman who was convicted for using in her food a bit of Saline earth she has scraped from the ground.

31631. I want to know the general character of the reasons why the public demand this separa-tion in the trials of these cases?—In their deci-sions the Magistrates are influenced by their bias

on the Executive side.

31632. Is that felt as an evil only by the practitioners, or by the public?—By the public. I do not eare about the practitioners. These cases

are no will to them. They bring money to them.
31633. We have had the evidence of High
Court Judges who have been asked about that point. Do you think that these cases, owing to these Acts, do not and cannot come before the High Court except upon revision?-They cannot.

31634. Do you, or do you not, agree with me when I say that in revision, such evils are not likely to be seen by the Court at all?—I agree with you entirely. They never meddle with a revision of facts.

31635. In clause I of your scheme you say: "The present Subordinate Judiciary composed of Subordinate Judges of different grades should be enlarged and strengthened. It deals, at present, with civil work only. To that should be added with ever work only. To the should be added oriminal work at present done by Revenue Officers." That is part of your scheme which you propose, is it not?—Yes, because I have conpropose, in it not re-res, occasion I have con-sidered that Subordinate Judges really do criminal work better than the Deputy Collectors, the authorities which are now entrusted with it, because they possess superior qualifications to the Deputy Collectors.

31636. Apart from this tendency to decide according to the bias of the superior Executive Officer, Mamlatdars and those persons who are vested with second and third class powers have bardly any real training in law?—That is so. 31637. (Sir Theodore Morison.) Did I under-

stand you to say that you thought that the

holding of the examination in London was inconsistent with the Act of 1883?—Yes, \$1638. Not with the letter?—Beyond that;

both against the letter and the spirit.

31639. The letter is what you have quoted there. Nobody has actually prevented their hold-ing any office, place or appointment, in the Civil

Service?—Practically, yes. 31040. But not literally?—Yes; because you must expound the letter fully.

31641. I want to ask you about the other, the spirit. I am no lawyer, and I do not understand what these things mean. In what way is it inconsistent with the spirit?—The Court of Directors expounded the Statute as meaning that there shall be no governing race and no exclusion of Indians: but if you arrange that they are excluded systematically by such Regulations from that competition, then you break the spirit of that Statute.

31642. But did the framers of this Act themselves provide by Regulation that the examination should be held in London?—I have beard that said; but I remember the early debates very soon after the passing of the Statute, in which it was pointed out that they realised that for a long time to come the examination will have to be held in England. That was not an essential part of that

policy.
31643. It is in the Act?—Not that it should

31644. Surely one of these repealed sections of the Act directs that an examination should be held, and I think it is less favourable to Indians than the present condition, because it says that nobody shall sit for that examination unless he has had nomination from the Directors. Surely, no Indian is likely to have got a nomination?—To what Statute are you referring?

51645. The one you are quoting?—There is no provision for appointment by the Directors in

31646. I am no lawyer, but I have a copy of the section which has since been repealed?—What is the Act?

31647. Phis Act of 3 and 4 William IV?-That is the Act of 1833 which lays down that no

racial distinction shall be made. 31648. It does; but, as a matter of fact, there is a provision in one of the repealed sections which one does not generally see which says that there shall be an examination for introduction to Heileybury, and that the Directors shall give nominations for persons who sit for that exam-ination. Therefore, I gather from the Act itself that it is not contrary to the spirit of it as it was understood?-It is contrary to the spirit of it, though under the actual circumstances existing at the time it might not be possible to hold simul-taneous examinations. But the spirit remains. The spirit was to exclude the theory of a governing

\$1649. You think we are more capable of interpreting the spirit in which they framed that Act than the men who actually framed it?-No: but I would go to the people who were concerned with the framing of the Act, and afterwards with the carrying of it out. I have an extract here from the speech of Lord Stanley, who was very much concerned in all these transactions from 1883 to 1857. The extract which I have here from the report of his speech says: "He could not refrain from expressing his conviction that, in

10th March 1913.7

Sir Pherozeshan M. Mehra.

Continued.

refusing to carry on examinations in India as well culture ?-Yes. You may take it that way. as in England, a thing that was easily practicable, the Government were, in fact, negativing that the Government were in lace, negativing that which they declared to be one of the principal objects of their Bill, and confining the Civil Service, as theretofore, to Englishmen." The same thing was repeated in 1857. Lord Stanley was in the best position possible to interpret what

was meant. 31650. Turning to the educational aspect of this question, do I gather from your answers to this question, to I gather and you are not anxious that we should develop in India an indigenous system of education?—I should like you to tell me what you mean by "an indigenous system of educa-

31651. Something which would represent and carry on Indian culture?—I mentioned it in answer to a question put to me by Mr. Macdonald. I am for Indian culture : but Indian culture can best be developed in India through English education. It is English education which has taught us to appreciate Indian culture as founded

upon its history and its own literature.

81652. That would mean, surely, the study of Indian books and the great works of Indian writers ?-Not only that: it would include the study of the habits, and race, and manners of the the people. Everything would be included in

\$1658. Something in the same way as English education has been developed by the study of Latin and Greek. Is there not a hope that we may develop an Indian culture by the study of Sanskrit and Arabic and Persian?-That is a large question; and one can only give an opinion. It has been expounded at different times that Sanskrit and Arabic may do for Indians, and Indian languages and Indian culture, what Greek and Latin did for English people. But the

circumstances were different.
31654. You do not agree with it?—No, I do not, because the circumstances are entirely

different.

31655. You say that in your own fondness for Latin and Greek?—I used the words with

reverence, because I know little Greek. 31656. But in your reverence for European classies, are you prepared to develop Indian education upon those lines of Latin and Greek which have turned out useful for Europeans but which entirely neglect the culture and civilization of India?—Greek and Latin culture is valuable, not only for one-sided development, but it is valuable for laying down principles for all development and all culture. That is the view I take of Latin and Greek literature and History. It not only teaches us specific facts confined to particular people, but it ultimately enables us to develop principles which are good for all culture.

That must mean in practice, must it not, that the knowledge of that culture which is bound up with Persian things, will disappear from the education of young Muhammadans?—No. Why should it disappear? Why should we not go some of us, for European classics, and some of us for Oriental classics? I think it would be good for all of us if we varied in that manner.

31658. You would have a class of boys being specially trained for the Indian Civil Service who would follow a European course of education, and you would have another class of beys who would develop more particularly the Indian school of

think a diversity in educational attainments is a

very useful thing. \$1659. According to your system, those who

followed the Indian system of culture would not: have a chance in the examination?-Sauskrit and -

Arabic are included in that curriculum We have been told that Indian education is not fairly represented in the examination?-

That ought to be remedied as a matter of detail. 31661. If you remedy it, does it not come, to this, that you have one class of subjects which the Indian competitor takes up, and another class of subjects which are taken up by Europeans?-Many subjects would be common to both.

31682. Theoretically, but not in practice?-

Really, why not?

31663. Because in the system of training, the broad liberal education of which you speak, in India is one thing and in Europe another; you may arrive at a culture in many ways by many gates. In Europe it may be Latin and Greek, and in India it may be something else. The Greeks laid down music and gymnastics. You cannot have a simultaneous examination which will bring in gymnastics and music. If you did. all your Greeks would have gone up in that?-Yes: while your English candidates would get their culture through Greek and Latin, and Indians would get their culture through English history and English literature, which is absolutely impregnated with Latin and Greek culture.

31664. No English boy does take up English literature as a subject for examination?—That was a complaint up to recent times, but since then

was a complained been brought forward in many ways as a direct subject for University study?

31055. As a matter of fact, you will not find as a general rule that English people distinguish themselves in the examination in English likerature, as will be seen by the fact that Indians. are very often on the top. Englishmen who do distinguish themselves have generally done so in the grammar. It really is not represented in English education. It therefore will remain as an Indian subject, if I may use the expression?— English composition and the English language have not been by themselves a direct subject of study in University courses up to recently. They study in University courses up to recently. They have done it indirectly because, after all, reading Buglish literature and reading English history must give you a knowledge of the English lauguage. The complaint was that the English language was not a direct subject of study in the older Universities. I believe there have been attempts in recent times to remedy that state of things: but, at the same time you must remember that English candidates went right through the English language because they studied all English

literature and all English history.

31666. No: no English boy, except in his out of school hours studies English literature, or, at any rate, very few do so?—Does he not read

all the great books on English literature?
31667. He may, or he may not; but that is out of school. He is never taught it in school ?-That can be remedied. I believe English people have awakened up in that respect.

31663. That means that you will have to change the English system of education?—It is

very largely changed now, I think.
31669. Would you modify that rather severe expression of yours when you say that you have :- Sir Pherozeshah M. Mehta.

[continued:

earried war into the enemy's country? Sir Murzay , you could then take steps and check the flow of Hammick has already referred to that joint. You' Indians. What steps would you by prepared to spy, 'I' its one of the most deplocable fasts in the take?—Another Grammission. Commissions are relations of the Anglo-Indians and the Natives of this country that even the best intentioned and less prejudiced among the former have a rooted dislike to the educated men among the latter". Is that true of the educational men?-Do you really press that question? I really do not want to use any strong language or anything that might wides the feelings between English people and Indians. That they should be brought closer together is the desire of all our best and wisest men. But this is the conclusion I have arrived at after an experience of forty years, and having associated with both Indians and English people. It is an unfortunate circumstance, and I deplore it. I have said this in the Legislative Council with regard to one for whom I have the highest respect for the manner in which he looked after the welfare of the people, Sir Frederic Lely. But if you ask me honestly, is this the conclusion I have come to. I do not know all the reasons. One reason I have suggested is that probably educated Indians are pressing too close upon the heels of Anglo-Indians and officials; and one feels inclined to kick at people who get too close upon your heals sometimes. It may be that, and it may be other reasons. But you may take it from me that this is a conclusion which I have arrived at after long experience. I do not mean to carry war into the experience. I us not mean to easy was into his enemy's camp. I have really no such intention. But it is a deplorable thing that such is the case. I have the highest regard for the English people who have shown me great acts of kindness and courtesy and consideration; but in this respect I have stated what is to my mind a bare fact.

\$1670. But you have stated that in a way so that it applies to all, without exception ?-I hope not. I still make any number of exceptions; but the broad fact will remain. I say openly that there are many Englishmen who try to get over it. There are some who succeed in doing so; but, taking the average Anglo-Indian official, or the non-official, there is this feeling.

31671. I only want you to say that there are exceptions?—I will say so at once with cordial good-will.

You say that "Anglo-Indians and Natives of this country, even the best intentioned and least prejudiced among the former, have a ann reaso prejument manage are comer, have a rooted dislike to the educated men among the latter"?—I am roady to add, "with very excel-lent exceptions." I could not say that knowing

gen exceptions. Toolar loss of the services and facilities on 31673. (Lord Rosaldshay.) You told Mr. Gokhale that you did not anticipate that there would be any danger of Ioniaus swamping the Service if simultaneous examinations were set

up?—Yes.

And you also told him that if by 31674. chance in the future that did come to pass, it would be quite easy to take steps then to prevent an undue number of Indians finding their way into the Service?—I answered that in a cursory way. I have no fear of that. I have no fear for the stability of the English rule, even if there was

a swamping.
31675. I was referring to the two answers
you gave to Mr. Gokhale. The second was that if that did come about, and more Indians found their way into the Service than was thought desirable in the interests of efficiency, and so on,

always at work at intervals.

\$1676. I did not ask you the opinion of some future Commission, but I asked you your opinion. What steps would you be prepared to take?-I will answer the real point contained in your question. I couless that the answer I gave to Mr. Gokhale was a cursory answer, and did not express my full view of the matter. I say that if ever the time comes, twenty-five or thirty years hence, when there was a larger number of Indians in the Indian Civil Service than Europeans, you can take my word for it that those Indians who have entered the Civil Service in such large numbers would out Herod Herod; they would be more English than the English themselves, and they would wish to keep up British rule, while Eng-lish people with that pluck and daring peculiarly their own, do not sometimes hesitate to jeopardise the connection between England and India, so

beneficial to both. 31677. That is not quite answering my question. The question I am asking is this: I am assuming after a system of simultaneous examinations is set up, that a larger number of Indians find their way into the service than is thought desirable; and when Mr. Gokhale made that suggestion to you, you said it would be quite easy when that case arose to take steps to remedy easy went that case arose to easy would be prepared to take, supposing that it did arise?—To some extent I qualified my answer by pointing out that it was a very cursory answer. I thought it was a matter of such little importance that I said, yes, let the future look after the future. That is what I meant to convey. Taking it more seriously, if the time comes when the Indians outnumber the Europeans in the Service, for twenty-five or thirty years there is no likelihood whatever of such a thing at all. After that period I hope and believe (of course I shall not live to see it) that Indians being in such large numbers in the Civil Service itself, and under English influences, will be English in feeling as far as the safety and permanence of the Empire is concerned, that you

need have no fears, 31678. May I take it from what you have said that in your opinion it will not be necessary to take any steps?—Really I do not think that

occasion will ever arise.

31679. I suppose, as a matter of fact, you would admit after careful consideration of the matter that it really would not be possible to take any steps to limit the number of Indians getting into the Civil Service if once you granted them the privilege of getting into the Service by this examination?—I should be inclined to go with you there. I consider that in political matters of this kind you must bear in mind Lord Clive's saying, "To stand still is dangerous: to retreat is rain." I quite agree that in political matters you cannot retrace steps, and that is why we are insisting that you must go on with some system of simultaneous examination. You cannot retrace your steps after the Statutes of 1833, 1853 and 1870. Anglo-Indians must dismiss ali ides that you can go back upon those Statutes. It is a political matter of such importance that there is no retracing from steps once taken. 31680. With regard to another remark, you

say: "The majority of English Civil Servants .

10th March 1913.7

would like to remove the decision of most civil questions from Judicial tribunals to Executive officers". I should like to ask you on what you hase that statement?—I will give you the instance of a Bill pending in the Legislative Council at the present moment, called the Talakdars Bill, affecting cases in connection with the succession of property. For years, up to the present moment, these cases have been tried the present moment, satisfactorily in the Civil Courts, and an endeavour is now being made to have them taken away from the Civil Courts and referred for decision to the Executive officer. At the present moment, a Bill is pending in the Legislative Council for that purpose. I could give you numerous instances of such things.

\$1681. That Bill does not propose to deal with every class of case: it proposes to deal with some particular classes of Civil cases?—These cases of succession are Civil cases, and they are

always referred to the Civil Courts.

31682. But is it upon that example alone that you base your statement that the majority of English Civil Servante would like to remove decisions on Civil questions from Judicial tribunals?—No, I would not say I base my inference upon that one single case. I only give you a typical instance existing at the present moment.

If you turn up the files of Bills before the
Legislative Council you will see that attempt
after attempt has been made in that direction. Fortunately they have not always succeeded, because, after all, there is a body of English opinion which will not allow them to go very far in that direction. They would, however, if they could.

31688. I only asked that question because my personal experience of Civilians in districts, and so on, is rather a contrary one. They have always given me the impression that they are very auxious not to have further burdens imposed upon them?—I have been moving in this Presi-dency for forty years, and I have the best relationships with English officers, and, as I have said, I am grateful to them for many acts of kindness and courtesy and consideration. I am not speaking with any feeling against them. I have great admiration for many of them. That, however, is a trend of their mind, as Sir James FitzJames Stephen pointed out in the quotation

I have given, 31684. With regard to your suggestion for the recruitment of the Judicial Service, you say, "The most serious defect of the Anglo-Indian Judiciary arises from the circumstance that their ignerance of Indian life is not corrected to any extent by the knowledge and experience of Native ways and thought which can, to some Native ways and morgan wance can to some creates at least, be separind by the close contact into which a practising lawyer is theorem with the people." We have lend a good deal of evidence from a great many of the local authorities that the knowledge of the people acquired by the English Civilian during his entire, years on the Revenue side is one of the most valuable attributes in the schement of the contract subsequent discharge of Judicial duties. I do not subsequent oursurge or suntess causes 1 on now cuite moderaturd what you mean when you say that the Indian Civilian has no opportunity of getting rid of his ignorance of Indian life and Indian ways and Indian thought?—The one great obstoole in the way of an Englishman capturing that knowledge is that he cannot acquire the Mutu children. the Naune dialects.

31685. But does not the Indian Civilian dur ing the earlier years of his service spend a great part of his time among the people?-Shall I part of his time among the proper.—Shan I describe to you what he does, as I have seen it with my own eyes? I will tell you what life he passes, and why it is he does not acquire it.

31686. I ask you first of all, is it not a fact

that during the earlier years of his service the among the people in the districts?—He has a tent outside the village; he does not pass his-

life with the people. \$1687. If he is alone, and has no companion, I. presume he must come into contact with the people?—I say he does not come into contact with the people except in the way of his business. It is not through the medium of his own understanding of the language that he talks with them, but through the interpretation of his subordinates, except in a very few instances. I do not know how it is in other Provinces. In the Bombay Presidency I have come into contact with hundreds and thousands of Civilians, and they cannot talk the language except in a few instances; and with those exceptions they caunot carry on a conwhen some exceptions are caused early of a Con-versation with the people. The soquiring of the language is the greatest obstacle. The English-man has a certain insular disposition. He will not thrust himself upon the people. There are, however, opportunities for acquiring an intinate knowledge of the people in the course of his training, but it is this want of knowledge of the language of

the people which handicaps him so much, 31688. Then I may take it from your answer that you disagree with the Chief Justices and other Judges who have been examined hitherto, who have eatd that the earlier years which a Civilian spends in this way are of great use to him?-Many of the Chief Justices would have no knowledge about this matter. They are mostly English Barristers imported from England

31689. I suggest that the Chief Justices have some knowledge of the work done by subordinates?—They have no personal knowledge at all. 31690. Have they not opportunities of judging of the work done by the District Judges?—They have no knowledge of how they mix with the

31691. Have they no opportunities of judging of the Judicial work done by the Judges?—Certainly. Sir Charles Sargent, who was one of our great Chief Justices, giving his examination before the last Commission, distinctly averred that the English District Judges were inferior, in the appreciation of evidence, to the Indian Judges. You will find it on the records of the last Commission. Sir Charles Sargent was a most dispassionate authority.

31692. Am I to understand from that that the Indian Civilian must make a very had Judge ?In the appreciation of evidence he is very bad.

31693. And, therefore, he cannot make a good Judge?-He does not make a perfect Judge

31694. In your opinion a Barrister will make a better Judge?—A Barrister with a good deal-

a better duage - n manage with a good tear of practice would make a better duage. 31695. Why do you still desire to recruit one-third of the Judicial Service from men who make such hed Judges - Shall 1 answer frankly? Because if I put forward a scheme which excluded Civilians altogether it would be pooh-pooled asimpracticable.

Scontinued.

31696. The scheme which you formulate here is not the real scheme which you would like to see ?-It is not the ideal scheme which I should like to see. After all, in this world we must by practical. I thought the thing would be simple

licked out if I had put the other scheme.

31697. The scheme you recommend would be recruitment from the Bar?—No, from the sub-

ordinate Judiciary and the Bar.

31698. I understood you to say that your Subordinate Judiciary were recruited from the Bar?—If you call the Bar the Pleaders, I mean the Bar. The "Bar" here means however, the Bar of the High Court. Popularly, when you speak of the Ber you mean the Boglish and Indian barristers practising in the High Court. If you mean the Bar in the Judicial sense it is so.

31699. (Mr. Heaton.) You will admit that there is another side to this matter of civilians not acquiring the knowledge of the people and not being able to talk with them. There are many instances of other people whose opinions are quite to the centrary; and it is a well-known fact, or believed to be well-known, that Civilians when they are out in the districts spend many hours of their time in conversation in the vernacular with local people of importance?-I have heard them very often talking in that way; but it has been very difficult both for them to make themselves understood in the vernacular and for the people whom

they interviewed to understand them. 31700. There is a considerable body of information to be found in the books on India written by Englishmen?—I suppose so. I cannot tell you generally; but if you refer me to any particular book I will tell you whether that information is

accurate or not? 31701. I will give you one instance. You know Sir James Campbell's compilations of Folklore and Spirst Beliefs. It is a collection of old stories and other things. Is not that a very valuable contribution to that particular subject?-I de not think so

31702. But there are other views ?-I know that Englishmen entertain other views, I quite admit it, because they do not realize

drawback.

31703. As to Sir Charles Sargent's opinion, again, there are opinions of Judges and others, who are in a posttion to have some knowledge of the matter, that English Judges are good Judges? —Sir Charles Sargent had a reputation for being a thoroughly impartial and dispussionate man; and his opinions, in consequence, carry great weight.

31704. It is the weight of his opinion that you rely upon?—Yes. You know his reputation

as well as I do.

31705. I do indeed. I wish to have it on record that there are other opinions?—I suppose there are many such instances on the records of the last Public Service Commission.

31706. And those we have had here on this Commission ?- I have followed the reports in the public papers though I cannot say I have done so very carefully. I do not rely simply upon Sir Charles Bargent's expression of view. I am speaking also of my own personal knowledge and speaking also of my own personal analysis experience. I have practised in all the District Courts in the Presidency. I have appeared before Mamlatdars and Deputy Collectors and Collector-Magistrates and District and Sessions Judges. I have appeared before District Judges in all parts of the Presidency and therefore can speak on the matter. From Sir Charles Sargent's position his

opinion ought to carry great weight.
31707. Turning to wone Memorandum, near
the beginning where you say "Few Englishmen are capable of realizing how seriously and hope-lessly English officials are, particularly in the higher administrative posts . . . ": are you there thinking more of Collectors and Judges, or are you also thinking of Members of Council?-Yes, I go up to Members of Council.

31708. A considerable part of their business, after all, is not so much detail as general control and supervision ?-No, not altogether. There are numbers of special matters which go before them in

which details have to be considered

31709. But after all their principal function you come to the higher posts?—I do not think so.
On the contrary they have to deal with specific cases which involve the consideration of a large number of details.

31710. Who would you say lays down the policy of the administration?—The main lines of polic, as I have said, are laid down by the House of Commons and the Secretary of State. There is a perpetual reference from the L cal Govern-ment to the Government of India and the Secretary of State. They do no move one step without having obtained the opinion, in the first instance, of the Government of India, and then, ultimately, of the Secretary of State. Therefore, there is considerable delay in disposing of matters: so that the lines are laid down by the authorities there, the Secretary of State being responsible to Parliament.

31711. There is considerable adaptation of that general policy to local circumstances by the Local Government?—Yes; and that is where the opportunity of going wrong comes in

31712. An tunity ?-Yes. And where they seize their oppor-

31713. If we had Indians who were Members of Council and controlled the Local Government

we really should be better off?—Yes, I think so. 31714. Turning to the question of Revenue administration, which is largely not on English lines, after all a great many of the cases which are instituted in the Civil Courts are mere matters of taxation, are they not?-Of assessment and collection of state share of land revenue, not of taxation.

31715. Do you not include that in taxation ?-No, there is a distinct line between them; assessment and the collection of revenue and taxation.

31716. Do you think that a ryot ought to be able to go to the Civil Court to have it determined whether he is liable to pay at the rate of Re. I an acre or Re. I-8 an acre?—I do not say that it would be to his advantage to go to the Civil Court. But I do say that it would be to his advantage, and to his satisfaction and contentment, that there should be a special tribunal for the purpose of dealing with these cases. Instead of combining the two functions in one and the same person you ought to have a special Court. I believe they have a special Court in Ireland to deal with land matters. I think there ought to be some Court of that kind to decide questions between the Government on the one part and the ryot on the

\$1717. But would you allow the ryot to go to the Court before a special tribunal upon this question as to whether he was to pay Re. I or Re. I-8?-You are putting it in that way, but it involves a very much larger sum than that of Re. 1-8. It means 10th March 1913.7

. 'Continued.

perpetual increase of assessment for thirty years, nd in the end it comes to a larger amount than is realized by the circumstance of there being Re. 1 or Re. J-S increase in two years. It means a thing that will be a loss to him for thirty years.

31718. Is that the type of question which you think ought to be allowed to come before such tribunal?—It is one of the questions which should be relegated to that tribunal. You know how much depends upon the way fields are classified and the way in which the assessment is arranged. It has been pointed out that Executive officers could do a good deal of mischief to the ryots in consequence of the way in which they set about the work of assessment through classification and the other various stages, through which the business has to go. If the ryct objects it is hope-less for him to appeal. He goes to the Commissioner, and then before Government, and they settle it and he has to submit. It is a question of thirty years. It is not a question of a rupee or a rupee and a half.

31719. You may have an enormous number of cases?—No. After a Tribunal of that sort settles the lines upon which their decisions should be based, I think the number would decrease very largely. The number of cases might be large when the Court is first established; but I have always found that when a Court is established for principles upon which those decisions shall be given, the number of cases decrease.

31720. With regard to the question of the Civilians not liking the old style of paternal Government better, is not the recent view of that uestion rather this, that a great many of them do think there has been excessive legislation? It is not that they do not approve of legislation, but that they think it has been carried too far: is not that the case ?-- No. They go in for a good lot to secure executive freedom and irresponsibility, but they cry out against overlegislation, when it is apt

to control them 31721. You think they are free from that particular defect now. You pointed that out and quoted from Sir James PitzJames Stephen?—I say that is still the view, particularly that thing which Sir James FitzJames points out, that all civilian officers consider lawyers as their natural enemies. I have realized that over and over again in the course of my practice they consider you as their

natural enemy, and as persons to be avoided.

31722. I thought you meant that laws were their natural enemies?-Laws as well as Lawvers

are their natural enemies.
317.23. I am dealing with laws?—The quota-

tion gives lawyers too. 31724. I was thinking of the law?-You

asked me whether there is not over legislation sometimes. 31725.

31725. I asked you whether the objection to lawyers in themselves has not now gone by altogether?—No. If you read the Anglo-Indian Press you will find that it has been perpetually dinned into our ears. Within the last few years the cry has gone up from them that rules of evidence must be done away with, as they hamper them in the carrying out of justice, and that they must be allowed to do justice in the rough and ready manner in which the old Oriental despots had the power of doing it. 31726. It is not the view I have been brought

up to, and I thought that view had passed away?

-I say that it is the conviction and belief of a large number of Anglo-Indian officials. 31727. At this moment?-Yes, at the present

31728. A little further down in your memorandum you say "There would be no equality, unless the facilities and opportunities were equal in the case of Indians as that of Englishmen." Would the opportunity be equal unless the competitive examination were adapted so as to. offer the same facilities to Indian students as to English students?-I do not quite understand

your question.

S1729. Supposing, the examination were left
on the same lines as those upon which it is now conducted and were made a simultaneous examination, would it give equal opportunities?-To a

stem, some as greatent, 31730. To a sufficient extent?—Yes, for the purpose of satisfying the feelings and sectiments of the people on this subject. Of course, there would be agitation afterwards to amend and alter things, as in human things there always will be ; but for the present it would be a source of great satisfaction and content.

31731. I see that you attach very particular importance to the powers of appreciating evidence

which only come from legal practice in legal tribunals?—I attach very great weight to it. 31732. It is a very curious comment upon our English system where we leave facts to be determined by juries?-Under the guidance of the

31735. If they choose to take it?-But you combine a number of people of common sense, and they are bound to take it; and you know, as a matter of fact, that they do. You must have

matter of fact, that they do. You must have haven in your corn summings on how juries have absolutely gone according to the direction.

31734. The great susquant of the jury system in Brighand is supposed to be that they go their own way, and that they do not necessarily rely upon the samming- op of the Judgo-7—1 very isolated cases. But you know that it is soil that in evil cases the system of trial by jury should be done away with.

system of train by lary should be under away with.

31755. Your view remains that the legal
practitioner is a better judge of evidence by reason
of his legal practice and that he is, in fact, the
best Judge P—I cannot imagine any Judicial
officer discharging his duties satisfactorily unless he had that power of appreciation which can only

be acquired by legal practice.
31736. Do you know anything about the.
legal tribunals in France and Germany?—Yes, 1 have read a good deal about them.

31737. Where the Bench is absolutely dissociated from the Bar?-Yes; it is a separate class altogether : the system there is so different.

31738. But if it is a successful system, it shows that it may be tried ?- I am not competent to say whether it is a successful system. I have read a good deal about its defects, principally, the cross-examination of the whole of a man's life.

\$1739. With regard to the question of the separation of the Executive and the Judicial, if you gave Judicial powers to Subordinate Judges it yould involve an increase in their number?—No.
That is what I tried to point out in the scheme
which I laid before the Legislative Council

But supposing, on examination, it was found that it did involve a considerable increase in the number of Subordinate Judges, and that it involved very large addition of expenditure?

Topududed.

Even then I would go in for it. As was pointed out in the petition on the subject to the Secretary of State which was presented to the Secretary of State by a large number of the most distinguished Judges in 1899. It was signed by Lord Hobbouse who had been Legal Member of Council and who was afterwards a Member of the Privy Council, by Sir Charles Sargent, Mr. Justice Phear, Mr. Justice Garth, and a lot of distinguished Judges who had served in India, Sir Wm. Markby, Sir Richard Couch, &c.

\$1741. Were any Bombay cases referred to in that memorandum?—The schedule consisted mostly of cases which had been gathered together by Mr. Mannohan Ghose; therefore they were largely Bengal cases. We collected at one time a large number of cases in the Bombay Presidency : and in the Provincial Conferences which were held in different parts of this Presidency all these cases were brought out.

31742. They were largely Salt Act cases?-Do you not remember the case of that poor woman who was punished, because she scraped a little earth which was supposed to contain salt and used it in her food.

81743. Would that happen now?-I hope

31744. Do you think there has been an improvement in recent years in that matter? Do you think that Magistrates now exercise more independence and act more upon their own res-ponsibility than they did?—If you put the question to me, I say, no, they do not act more question to he, I say, not they do not see include independently or on their own responsibility. You will find numbers of cases arising in which they absolutely follow the wishes of their superior officers.

\$1745. That is your opinion?-Yes, that is my view still.

31746. (Mr. Joglekar.) You said that if simultaneous examinations were instituted the officers of the Executive branch would be deprived of the chance of rising to listed posts ?-Yes

31747. Would it not be a grave injustice to some of the best men in the Service? How would you meet that difficulty?—By some provisional arrangement, as when you frame a law you have to draft provisional sections to meet the actual state of things. I quite agree with the view that great hardships may be done to people. Transitory arrangements ought to be made for them.

31748. But in the case of the judicial line, you are willing to give one-third of the listed posts to officers in the Provincial Civil Service?-I divided the whole of the Judicial Department into three parts.

One-third to the officers of the Judicial 31749.

branch ?—Yes.
31750. Would you not give a similar number of posts to officers of the Executive branch in their own line?-No, because they do not begin with the same qualifications. In the other case you guarantee certain qualifications, which is not the case with members of the Provincial Executive Service.

Why do you think they are inferior 31751 qualifications?—Because they are not so welleducated. I know that sometimes there are B.A's. chosen, but there are often cases in which they are not chosen. The B.A. is an inferior qualification to the B.A. and LL.B. which the subordinate judicial officers are required to fulfil.

\$1752. You think that the LL.B. is a necessary addition to their educational qualifications?-Certainly, most decidedly.

Do you not think that the long experience of Deputy Collectors in administrative work is itself a better qualification for rising to a Collector's post than mere examination?-No; because it does not secure the same calibre of

In answer to one of the questions you 31754. have said that Deputy Collectors have hardly any legal training?—Very little.

31755. Perhaps you know that they have to undergo a lower and higher standard of examination in criminal law, and they decide magisterial cases: is not that a training in law?—It is of a very circumscribed character. I have appeared before any number of Deputy Collectors who have tried criminal cases. We do not want to go into personal questions, but I could show you recent judgments which would surprise you.

3.750. If simultaneous examinations are not

allowed, would you not retain, and even add to the present number of listed posts?-I refuse to contemplate such a situation. All my life I have been set upon simultaneous examination, and I have been convinced that there is no other solution possible except that of simultaneous examination, possible exerpt to a ... I refuse to contemplate it.

(The witness withdrew.) (Adjourned till to-morrow at 10-30 A.H.)

## At Bombay.

Tuesday, 11th March 1913.

## THIRTIETH DAY.

#### PRESENT

THE RIGHT HON OUR LORD ISLINGTON, K.O.M.G., D.S.O. (Chairman).

THE EARL OF RONALDSHAY, M.P. Sir Murray Hamnick, E.C.S.I., C.L.E. Sir Theodore Morison, K.C.L. MAHADEV BRASKAR CHAUBAL, Esq., C.S.I.

228°

GOPAL KRISHNA GOERALE, ESQ., U.LE. PRAPE GEORGE SLY, Esq., 0.8.1. HERBERT ALBERT LAURENS FISHER, Esq. JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:

Joseph John Heaton, Esq., L.c.s., Judge of the High Court of Judicature, Bombey.

Ráo Bahádur RAMOHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poons, RAGRUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poons.

M. S. D. Butler, Esq., c.v.o., c.i.e. (Joint Secretary).

MAHOMEDALI JINNAH, Esq., Bar-at-Law.

Written Answers relating to the Indian Civil Service.

31757 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. I think the system in principle is satisfactory subject to answers given hereafter.

The system in my opinion is the best that can be thought of to test the fitness of men who are to be placed in different branches of the service.

A man who passes the competitive test must be ordinarily a man above the average abilities and character. To quote the words of The Right Honourable A. J. Raifour: "There can be no doubt for example that a man who can succeed in a severe competition must have great powers in a severe competition must have greet powers of verif, greet powers of onecentration, great powers of notesting a mbject end great powers of reproducing his honoidage. The existence of these mental powers is shown to demonstration by success, and they are all of them of the utmost use in very wall for the most power in that of an Indian Civilian. Next to these is accountd are of multiparties with a new course. a second class of qualifications which may or may not be found in successful competitors but which will be more often found in them than men selected at random. Such for instance would be a certain as routern. once for instance would us a ceream originality of aimed and power of grassping all the factors of a complicated problem, so as to be able to form a judgment on them, etc.

Then comes a third class of qualifications which so far as I can see are not indicated in the

slightest degree by success in examinations : such are decision, firmness and that rapid intention which marks the men of action whether states-man or soldier, refinement, knowledge of the world, the generality of the moral qualities and anything which approaches to what is called genius."

Therefore, I cannot cite greater authority or . improve upon the expression of opinion of such an In more upon the expression of control to such a eminent authority and a statesman of England. I therefore think that in principle "the eyen competitive examination" is the best though it may not be perfect and certainly it is not free from shortcomings and defects which are more matters. of details. I think it is the best test of a man's abilities or character and least blamcable system one can imagine to elect men for service.

31758 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?-Having regard to the time at my disposal, which is very short owing to the fact that I was only informed of the wish of the Commission to examine me on the 24th February 1913, I am unable to enter into details.

One thing, however, strikes me that the present system is faulty in that it prevents the best Indians from going to England owing to monetary and other causes and difficulties and the result is that the service is mainly composed of Europeans : out of 1,200 there are about 60 Indians or so. This makes the Civil Service a caste of Europeans with makes the CVIII.SCYTICE a class of LEUTOPERIS WITH all the perificione cencequences of a carke system and it is worse insamuch as there is further the mental distinction: I will explain this further in my oral evidence if necessary. Then it has become a political question of the greatest magnitude, The system as at present exists does not give a fair change to the sons of India and they are kept. ont of their proper and legitimate share in the ent of their proper and legiturate share in the service by this huge handing bloogh in theory the piedges and promises, charters and declaration are all one way that all appointments and errores are opened to all irrespective of cests, overed and race. 31750 (3). Is the system equally satisfalls for the admission of "Natives of India" and of other natural-born subjects of His Majestey? If not, the distribution of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of the control of the control of the con-trol of the control of t

what alteration do you recommend ?-Yes; those who have entered the service have, I mean Mr. Mahomedali Jinnah.

Continued.

Indians, performed their duties to the satisfaction of their superiors and have generally proved themselves efficient in the service of the State. That was the opinion of the Public Service Commission (1886 and [887] upon the evidence tendered before them

But having regard to the difficulties in the way of the Indians monetary probable failures and ricks involved therein and many other causes which prevent them from going all the way to England should be met and the only way to meet them fairly and justly would be to hold simulta-neous examination in India.

31760 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian think those Colonies that have by legislation excluded Indians going there should not be allowed to compete for the Indian Civil Service. I am opposed to the combination referred to in the question.

I also think that any colony that has on its statute book any piece of differential legislation should not be allowed to send her sons to compete

for the Indian Civil Service.

31761 (5). If you do not consider the present system of recruitment by on open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I approve of the open competitive examination

system in principle.

In my opinion any other method such as selection or nomination would be most fatal to the efficient working of the administration of India and will certainly lend itself to nepotism and jobbery of the worst kind. In a service like the Civil Service of India which means the highest posts of the greatest responsibilities, no other enterion should be introduced except the fitness, and in my opinion there is none other that human ingenuity can invent for the present to best the competitive

31762 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases come in 1000 and in Enganing, open in both cases to all natural-born subjects of file Majesty?—I am absolutely in invour of simultaneous examination to be held in India and England. These candidates that pass in India should be sent to England for 2 years for probationary period. 31763 (7). What would be your opinion with record to diffuse, fived normation of the new same period of the property

regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—No. Any distinction of this kind or differentiation of any kind will at once in this caste-ridden country where the Europeans even are no exceptions because generally they are caste in themselves as stated before, he disastrous to the interest of India.

There should be one test and one kind of examination for all, to recruit the highest service in the land, irrespective of the question of caste, creed or race or province.

Equality in all respects is absolutely essential for the prestige and tone of the service.

31764 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (5) combined nomination and examination, or (c) sny other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No nomination. No combined nominations and examination or any other method that I can think of. I would recommend only open competitive examination as the best system one could think of at the present moment. Indian Civil Service is intended to carry on the administration efficiently and maintain good Government. There should be no question of Provinces or Communities. What I want is the best men. Efficient administrators and not a particular community or province. In a service like the Civil Service, which means the post of highest responsibilities in the land, no consideration of any kind should weigh except the merits and fitness. Having laid down the standard of the test of merits and fitness, I would not interfere with it. Simultaneous examinations would be the best standard I can think of to test merits and fitness.

31765 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India." should still be eligible for appointment in England ?-Yes; those who can go to England and wish to take advantage of the English Schools and Universities which certainly put greater facilities in the way of the students should not be deprived of the right to compete in England for the Indian Civil Service. If the examinations are to take place simultaneous and if you do that the result would be unjust and anomalous. A man brought up in public school of England and the English University will have to come back to India to compete for the service, because he happens to be an Indian. He cannot sit in the Examination Hall in England but must come to India. It may be I have not been able to understand the question but if this question is part of or depended on question (8) my answer is that in lieu of my answer to question (8) this does not arise.

\$1766 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in young men was an extended to those, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—No. The listed posts should remain as they are.

31767 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion the Executive or the Judicial Service ought to be separated.

The method of recruitment of Judicial branch should be based on two principles

(i) Efficiency in the knowledge of law or in other words sound thorough training and ground-ing in Law Recruitment of Higher Judicial.

(ii) Actual and practical experience of the Bar and the Law Court: It may be in England or in India: I should prefer England.

11th March 1913.7

230

Mr. Mahomedali Jinnah.

Continued.

Firstly.-Higher Judicial branch should be recruited from the Bar, where you have a wide field for relection of really qualified men. They should he not less than five years' standing at the Bar. Secondly.—Subordinate Judicial Service also

must have some higher post to look to and a portion of the higher Judicial branch should be Judicial Service. They must be not less than 5 years' standing in the Service.

Thirdly.—Civil Service. The members of the

Civil Service in my opinion will not prove useful in this Higher Judicial Service unless from the very start you select them for the Judicial Service and during the probationary period of 2 years they read in the chambers of a barrister of considerable practice and attend the Law Courts and learn and watch the actual working of Courts. I would be inclined to fill in the Higher Judicial branch half the number from the bar. One-fourth from the Subordinate Judicial Service as there are some very brilliant men in the Subordinate Judicial Service and 4th from the Civil Service provided they comply with the requirements stated above and are of at least 5 years' standing in the Judicial Service before they are appointed in the Higher Judicial Service.

31768 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 8), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents babitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the subjects of the Native States should be included

31769 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I think the age-limit is not satisfactory. I think it should be 21-23. I understand the present age-limit is 22-24. Probationary period

should be two years.

81770 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Those that are selected for the Executive should be made to come out to India as soon as they pass the competitive examination and remain in India for two years during the probationary period and should be made to learn the language of the province for which they are intended wel and also ought to be made to understand the people and made to realize that they are the fellow subjects and servants of the Government of India and not as most civilians think, specially when they are young, "Rulers" of the country. As to those are young, "Ruless" or the centry. As to those that are selected for the Judicial bracen it will be just as well that they should be made to read with a leading tarrister in England and soquire as much practical knowledge and experience of the English Law Court as it is possible to do and remain in England during the probationary period for that turences.

for that purpose.
31771 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what

reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-horn subjects of His Majesty ?-

No differentiation of any kind.

31772 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I can't answer this question as it requires careful study of syllabus of subjects and as I have not had time to go through this I can make no useful suggestions.

I think the number of marks for Sanskrit and Arabic should be increased. Persian ought to form one of the subjects with equal marks to those

allotted for French.

31773 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons ?-No.

give reasons :—"De 31774 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and its o, what posts and for what reasons ?—No. 31775 (19). Do you consider that a minimum

proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service of the posts moment in the rotate Carl cervice cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I think this problem will not arise for a very very long time to come. I should think that there is no chance of diminishing the preponderating element or proportion of Europeans helpanerania employed in the higher posts of the Civil Administrations. At present, there are about 05 Indians out of 1,200 Civilians in India and for a generation to come there is no chance of Indians swamping the Europeans, having regard to the tremendous handicap in view of the syllabus of the subjects and the state of schools and universities in India at the present moment

My answer, therefore, is that this question is

much too premature.

31776 (20). Do you accept as generally satisfactory in principle the present system under which Natives of Iudia are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in Iudia?—No.

31777 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recom-

mend?-No.

31778 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your quinton, should it be adopted?—I have no experience. But on general principles I should keep the two separate.
31779 (24). What is your opinion of the system

by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be properly be appointed?—I have very little experience of the actual work of such officers.

Mr. MAHOMBDALI JINNAH.

continued.

31780 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the

Service ?-Yes.

31781 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?-It should be two years. As to the course of study I have had no time to consider, but with regard to the portion selected for the Judicial branch I have indicated above what should be done.

31782 (31). Do you consider that any differen-tiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. With regard to those who are intended for the Executive, the Europeans should be made to pass the probationary period in India, whereas the Indians, whether they pass the competitive examination in India or England, should be made to pass the probationary period in England : but those Europeans and Indians who are intended for the Judicial brauch should, if they pass in England the competitive examination, be allowed to remain in England to acquire practical knowledge and experience of the Law Courts and the chamber of a leading barrister in England.

31783 (33). Do you think it desirable to start. at some suitable place in India, a college for the raning of probationors of the Indian Civil Service, and possibly of other Indian Services recruited in England?—1 think some definite system must be laid down for them which might prove most useful. I have not had enough time to consider this.

31784 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No. It can only be done-

(i) By bringing them out to India during the probationary period and making them learn the

languages thoroughly.

(ii) By making them realize that they must associate with the people of India and not become a caste worse than any caste known to India and confining themselves to Gymkhanas and Clubs and disdaining Indian Society.

(iii) They must realize that if they wish to learn the languages they must mix with the people freely and on terms of equality with the

educated classes of India.

(iv) They must forget the over-present idea, that they are the "rulers" of the country.

31785 (37). Please give your views as to what earno (or). rease give your views as to what steps (if any) are necessary to improve the pro-ficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.—(i) Regular course in the study of English and Indian Law. (ii) Practical experience of the Law Courts in England and reading with a leading barrister. I can't go into the details.

\$1786 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Indian Law, which includes Hindu and Muhammadan Laws. I cannot lay down any special course of study as it requires much consideration and time.

31787 (39). Do you recommend any special training in subordinate judicial posts in Iudia for officers selected for the Judicial Branch? If so, please give dotails?—Subordinate Judicial posts should be filled in by High Court Pleaders of not less than 5 years' stanling. There is ample field for selection among this class.

for second among this class, 31788 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born sub-jects of His Majesty? If so, please state the special arrangements that you recommend?-No.

31783 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—None.

31730 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent. of mixed European and Indian descent, and of un-mixed European descent? If so, please state your

proposals?-No.

31791 (45). Do you consider that the exchang: compensation allowance introduced in 1833. eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—There should be no exchange com-pensation. This should be restricted to future. It should not have retrospective effect as it may work great prejudice to some of the officers.

31793. (46). If abolition is recommended with compensation in the form of increased solaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?-This is a matter of details.

31733. (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve or the arrangement by which they draw salary approximately at the rate of two-thirds of the lard approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Bervice? I find, what rates do you suggest for the various grades of the Service?—I do not. There should be no distinction of any kind made, once a person is in the Civil Service appointed as a member of that Service.

Written Auswers relating to the Provincial Civit Service.

31794. (53). Do you consider that recraitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it

belongs?—Yes.
31795, (30). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifica-tions in the officers appointed? If not, what alterations do you recommend?-I think it is

much too low-31796. (61). Do you approve of the arrangement by which officers of the Provincial Civil Service 11th March 1913.]

Continued.

holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the action posts by members of the Indian Gril Service? If so, what rates do you neggest for the various appointments?—I do not. Once a person is appointed be ought to get the same treatment in all respects as the members of the Indian Civil

31797 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If

not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that object to you to be suitable?—I think that the present system of recruitment of the Provincial Service is satisfactory—and at present there is no need to disturb it, but their pay is much too low and prospects not sufficiently recording.

Mr. MAHOMEDALI JINNAH, called and examined.

31798. (Chairman.) You are a member of the Viceroy's Legislative Council?—Yes, I am.

S1799. Do you occupy any public positions in Bombay?—Not at present. I was a member of the Corporation for two years and then I resigned.

bluncary and the department of the Corporation for two years and then I resigned.

31800. You are in favour of the present system of open competition?—Yes I am, on principle.

31801. You would not care to see it coupled with any form of nomination?—No.
31802. You do not think that the present

London examination gives sufficient opportunity to Indians to enter the Givil Service?—That is so, and I have stated my reasons for it.

31803. You regard an increase of Indians in the

a 1898. You regard an increase of Indians in the Civil Service as of great political importance?—Yes. In my opinion, this question is not only a question of a mere administrative character, but it is a question of a mere administrative character, but it is a question of a mere administrative character, but it is a question of a mere administrative can be enture incomed, although it is more than half a century since the promise ones given, the result is that out of 1,200 civilians only 58, as I understand, have get through and now occupy various positions in the Service. That shows that it is a very great landicup on far as the indians are concerned. This question has extinitly becomes very important one from the political point of view, because it endudes the sost of India from participating in the Service.

\$1804. You mean that the physical difficulties are such that Indians are precluded from entering the Service through the examination in London?—
As I have stated, there are so many difficulties to prevent Indians from going to England.

As I have stated, there are so many dimenties to prevent Indians from going to Bingland.
31805. You confidently anticipate that were an examination in India to be established a very large number of Indians would enter through that gate ?—In my opinion certainly a larger number will get in.

alisio. Do you desire to see a prependerance of Europeans in the Givil Service in India in the years to come?—Ges Europeans? If you mean that you much that you much that you much fair a Hampean prependerance in the service irrespective of the question whether you get Indians who are fully cumplear and qualified and are capable of giving error stifaction, that I do not agree that you should have a prependerance of Europeans.

31807. You would be quite satisfied with an Indian prependerance provided that the Indians came up to your standard of efficiency "-Not my standard, but the standard of efficiency which is recognized for the efficiency of the Service.

31808. So that the argument in favour of a British element does not carry much weight, with you?—It does not certainly, because the object is really to have efficient Service; not a European element or an Indian alement.

31809. Do you feel satisfied that in the present state of India an Indian preponderance would secure that object?—At the present moment, I do not think the Indians have a chance of getting into such a large number of posts as to raise this

20150. You do not think that given an examination in India an appreciable increase would take place in the number of these that desert the Service? —An increase will take place, but it will not be such as to raise a question of this character of whether it is necessary to consider the question that there should be a prepondenance of the European element. It will take a long time, as I have said, before that question will arise; and when it does arise it can be considered in the light of the facts which may be present at the time.

31811. You think that that will be a wise and statesmanlike time to deal with the question?— Yes, because at present we are speculating.

31812. In your answer to question (7) you say rather emphatically that you are opposed to separate examination?—By separate examination, I mean an examination with a limit. A separate examination in India.

31818. I am quoting from your answer in which you say that it would increase what you call caste distanction?—Yes.

SIS14. Why, as a matter of fact, should an examination in India, which gives additional opportunity for the admission of Indians to the Service, set up what you describe as class distinctions?—If you three examinations in India on a separate system, by passing those examinations mr will get into the Service. Birst of all, the object of it is to limit the number of Indians. I am apposed to that. Secondly, it will stamp the man who eater the Service by these means as inferior men. That stamp will continue to remain on them so long as they remain in the Service, and, in my opinion, both from the moral and sentimental point of twen it will affect these men, who, although they may get into the Service, will still be locked upon as a braudo to themselves, and that, certainly, will not tend to produce the proport note of the Service.

3315. You are stating these objection on the accuration that such on externation must be infestive behavior to relate the seaming time the seaming that is would be similar in chancier, and that the subsception to receive the regard to training, and so on, were followed by the successful enablate, would you still maintain your opinion. Then I sail to address the work of the seaming the seaming that is not less than the seaming the seam

[continued.

31816. You have no apprehension that, under a system of simultaneous evaminations, the socalled backward communities will be placed at any disadvantage?-As I have said in my answer, this Service is a Service in which the only question that ought to be considered is the efficiency of the administration. It is the highest Service in the country, where you have men who will have to occupy the highest posts in the land. In my opinion we should not consider the question of community, class or Province. What we want is the best administrators, and not necessarily a Hindu, a Muhammadan, or a European. That being the character of the Service, I think that if any element of any other kind is taken into consideration it will be likely to impair the efficiency of the Service.

31617. Looking at it from a prectical point of view, you do not see any harm in one particular class of the community having a predominance?—
No, 1 would have no objection it file result happens to he, of which I am now dendiful, that a particular community has the prependerance, provided I get competent men, but having regard to the present state of India I think that all the communities are advancing and I think that there would not be much danger of that, although I admix that there might be a certain amount of danger of this character.

318B I understand that you would not disturb the listed posts, but would give the officers who occupy them the same pay as the officers who occupy similar positions in the Indian Civil Service 2—'ves, I takk I would, because once you have them in the Service there should really be no distinction draw lind whatever. It is had enough that there should be the distinction that they stowe hay listed yeats.

31819. You would like to see the listed-posts officers incorporated in the Indian Civil Service not only from the point of view of salary, but of status — In every way.

31820. So that they would become Indian Civil Service men?—Yes, it is bad enough that they come in by this process of listed posts without any further distinction.

31821. You do not regard an officer who has been promoted from the Provincial Civil Servise in the same light as a man who has got his place by passing an exemination?—I do not. It is only on exception in this sense, that you are giving an opportunity to a man who may be an exceptionally brilliant man, and justice might be done to him by this method. Therefore I say that in that case he is an exception.

31822. You do not think you could get that sort of exceptionally brilliant man by a competitive examination in India?—Yes, you would certainly.

31823. Why should there be a lasting difference between an officer who has caltered the Service diraced in Indian separate examination and one who has come up by promotion from the Provincial Givil Service—There would be. I say that that man would suffer from the clat that he is then from the other Service by means of the inted post. I want to allow that door to remain open simply in cases of a very exceptional character.

81824. You propose recruiting for the Judiciary from three sources, half from the Bar, one-fourth

from members of the Provincial Civil Service of five years' standing, and one-fourth from the Indian Civil Service?—Yes, subject to the conditions that I have mentioned

I have mentioned, 31825. In this case, do you think that the officers, who came in through special sources, would occupy invidious positions in the Service?-I do not think so, for the simple reason that the present question of recruiting the Judicial branch has become a very difficult one. is only a suggestion of mine to meet the difficulties which have been raised. The cry has been that the higher Judicial branch has been filled by Civilians. I have nothing to say against the Indian Civil Service so far as the men in the Service are concerned; but having regard to the system, it has been proved, I think, that in the higher Judicial branch the Civil Service has not given satisfaction. The number of cases which have come up are so numerous that I do not want to go into details, but it is sufficient to say that the present system is unsatisfactory with regard to recruiting from the Civil Service for the higher Judicial brauch.

31826. But you suggest the continuance of that system?—No, I do not. I say that the higher Judicial branch should be filled first from amongst the members of the Bar, where you have a very wide field for selection, and you can get very good men. I have suggeted one-fourth from the Civil Service, and one-fourth from the Subordinate Service in order to try and see whether it is not possible to get the Civil Service also into the higher Judicial Service, provided that those requisites I have mentioned are complied with. As to the Subordinate Judicial Service, I think that there are very brilliant men in it, and they ought to have something to look forward to. It scens to me a great pity that some brilliant men, who have served in the Subordinate Judicial Service for years and years, do not get beyond Rs. 700 or Rs. 800 a month, but remain for the rest of their lives in that position. If there are brilliant men in the Subordinate Judicial Service they ought to have something to look forward to, and something to work for, and I think they ought to be recruited into the higher Judicial Service. It is really to meet the present difficult position which has been raised that I make this suggestion.

sles?. The only reason why you retain recruitment from the Indian Grill Sorries is hocases there is an appreciable demand in its favour? "No. May I be allowed to explain? I ray that one-fourth should be from the Civil Sorvice because I do not wish to take away chuses from the Civil Sorvice at the present moment. By these nethods of training that I have mentioned, they may prove useful in the higher Undertal Service. At the present moment may opinion is that they are not dasbolutely assistanctor, I fly on lay down these methods of training, then that may be. Therefore I am willing that one-fourth should be recruited out of the Civil Service for the higher Judicial branch.

\$1828. It is more in the nature of an act of philanthropy?—No. It is a fair spirit in which I want to meet it; otherwise the Civil Service might say that they never had the chance.

31829. You are in favour of the European having his period of probation in India, and the Indian in England, Can you tell us what

Continued.

your idea is for the European in India?-I have not studied the details of it. I was only informed of the desire of the Commission to examine me very late, and I had not sufficient time to go into the details of it; but I think the probationary period in the case of Europeans might well be asefully spent in India under a system, the details of which I cannot go into, but which can be laid down by some competent heads.

31880. You think that Civilians speak Indian languages less well than they did ?-I have not come across many Civilians, or hardly any, who can talk the language of the Province fairly well or fluently so as to be able to carry on an ordinary conversation.

Are you frequently moving about in the districts of this Presidency ?- I have come across many Civilians.

31832. Are you frequently moving in the

mufassal ?-No. 31833. So that you do not speak from per-sonal experience?—I am not moving about frequently, but I have met many Civilians from time to time. I should say that I can recall at least a dozen instances during the last five years.

31834. We have had evidence to the effect that the Executive officer under the system in force in Bombay has to spend something like six months or more of the year in Camp. Is it not difficult for him to avoid talking the language whilst he is in camp?—I do not know what the causes are of their not having acquired proficiency in the language, I cannot go into that; but I know the fact, and I have come across many Civilians.

\$1835. You have given some rather positive S1830. For mare given some rather pessate reasons in your snewer here?—That is so. I have said what difficulties there are in the way of their learning the language. I have pointed out one or two reasons which I know for facts. If they are moving about in the canon and they have no opportunity or time to learn the language that is another matter altogether, but if there is a desire to learn the language and if they took the proper opportunities then I have given the reasons which prevent them from learning the language,

\$1836. If they are moving about in camp with no other Europeans near them, and nobody but Indians around them, and they are engaged in their work from morning to night, in the ordinary course, are they not talking the language? -Yes; perhaps they are to their servants; but that is not learning languages.

31897. What would you suggest as a remedy?

—First of all, I think that the standard of the test is not high enough. The present standard of the test which they have to pass in languages is not high enough. It seems to me that a more smattering of the language is enough to get them through the test. The test ought to be raised.

31, 38. That is the grammatical examination?-Grammatical, and so far as the literature is concerned. It depends upon the standard you lay down. If you lay down a low standard then the men get through that; and that means that they have only a smattering of the language. After that the officer has no desire to improve his knowledge the other mas no usage to improve an amoratoge in the language. He does not care to enter their social life. He keeps himself to gymkhanas and clubs, and practically excludes himself from

Indian society. No man can learn the language of the place if he does not mix with the people, I have been spending several months in Practice for the last five years, but I have no desire to learn the French language. I go about and got on with my broken French, which I have picked on with my broken French, which I have picked up here and there. But I have no desire to learn the language, and therefore I cannot learn it.

31839. But, I presume, that the manuer in which you occupy your time in France can hardly be regarded as similar to the way in which the Indian Civilian occupies his time in India?-The Indian officer's time is worse so far as learning the language is concerned because he never goes near Indian society; whereas I go near French society. He, on the other hand, only goes to Gymkhanas and Clubs.

31840. (Sir Murray Hammick.) When did you first begin to practise ?—I was called in 1896; eighteen years ago.

31841. Where have you been practising?-In Bombay.

31842. You say you have not been much in the mufassal?—I have been occasionally in the mufassal.

31843. But not much ?-No, I cannot say that I have been much there, 31844. Have you been mostly in Bombay

City?-Yes, I have been mostly in Bombay City. 31845. Your vacations you have apparently spent in Europe?-No. I have seen the whole of India. I have been to different parts of India,

Madras, Calcutta, and Northern India. 31846. When was it that you spent this period of five years in France, when you were a young man or a boy?—No, recently. I only go

occasionally for three or four months at a time 31847. With reference to your answer to question (1), you quote Mr. Baltour as advocating a competitive system of examination when he says, "Then comes a third class of qualifications which, so far as I can see, are not indicated in the slightest degree by success in examinations such as decision, firmness and that rapid intention which marks the man of action whether statesman or soldier, refinement, knowledge of the world, the generality of the moral qualities and anything which approaches to what is called genius"; and then you go on to say, "I cannot eite greater authority or improve upon the expression of opinion of such an eminent authority and a statesman of England. I therefore think that in principle the open competi-tive examination is the best." But surely the quotation which you have given from Mr. Balfour is not at all to show that competition is the best, He is of opinion that the great qualifications which we think are necessary in this country, qualifications of decision, firmness, rapid intention, refinement, knowledge of the world, moral qualities and genius, are none of them discovered by competitive exami-nation; so that I think Mr. Balfour would not be altogether of opinion that competitive examination is the best method of selection for service hands is the sees measure or exceeding nor service in this country. Do you not think that that is the case?—Certainly not. What Mr. Balfour means is this, that these qualities are born in a men, no amount of examination, no amount of passing any degrees would test those qualities which are bern in a man, and certainly no system in the world would be able to test those qualities.

Mr. MAHOMEDALI JINDIAH.

Continued.

\$1848. If an eminent Indian has told as that the average Indian is rather lacking in those qualities, namely, those mentioned in the third paragraph of Mr. Balfonr's quotation would it not rather go to show that simultaneous examination in India would be unsatisfactory as a means of selecting your good, efficient men in comparison with such an examination in England?—In that case no test would ever do.

\$1849. I daresay not. I am asking for an answer to the question I put to you?-I do not agree with that.

31850. If a distinguished Iudian has told us that the average Indian is deficient in these qualities mentioned in the third clause in your quotation from Mr. Ballour in comparison with the Englishman, then does it not follow that the competition in India is not likely to be so successful in bringing efficient men into the Service as a separate examination in England ?-I do not agree with that opinion. If that opinion is correct, it seems to me that no test that human mind can lay down will be a safeguard against that:

\$1851. Yes, that may be. You do not agree with the opinion of the Indian that the average when the opinion of the Indian in this country is deficient in certain qualities which exist in a higher degree in Europe?—If by the average Indian, taking the Entrope I make a very per instant, taking the mass, three hundred millions, you mean the ignorant man, it would be very difficult to judge. But I say the average educated Indian who goes through the same system of training and education, in my opinion, intellectually and in character, is quite as good as any European.

31852. Then it comes to a question of whether the Iudian can get the same in this country as he can at home, and you think he can?-We have got the proof, namely, that in the opinion of the last Commission, as I quoted in my answer, the Indians who got into the Indian Civil Service gave every satisfaction.

\$1858. But we do not know what their training had been?—Yes, but we do, excuse me: because we know from experience that a large number of the Indians who go to England are generally men who have gone through some school or University in India. They go to England and stay there for two or three years.

We do not know that as regards the men 31854. which the Commission of 1886-87 were talking about. Do you know what training those two young men the Commission of 1886-87 are speak-ing about had had in England? We should have to look up their records and so on ?-It is a matter of common knowledge.

\$1855. I do not think it is a matter of commen knowledge ?-I think it is common knowledge that those people who were in the Civil Service in 1887 when the Commission gave their opinions, went to England only for two or three years after went to nighthe only for two of tailed years after they were educated and trained up in India and they got into the Service. They came out and had been in the Service for several years, and the opinion of the Commission was that these men gave every satisfaction. 31856. You are of opinion that the system of

or opinion that the system of opinion that the system of training in India is quite equal to that of public schools in England?—No, it is not. 31837. Then it is not likely to produce the required qualities in the same way as the training in England is ?—It will certainly not produce worse

men than the men who got certificates from the Commission in 1886-87. Training in India, as it exists, at the present moment, will curtainly not produce worse men than those men who obtained the certificate from the Commission. I would add that in my opinion if you had simultaneous examination in India, after a man passes his competitive examination here and is sent to England to pass his probationary period, he will radical to pass his protestorary period, he will willies that probationary period to greater advantage that the men who have to go to England at the present moment utilize their time in England. What happens is this: a large number of Indians who go to compete for the Service in England for eighteen months or two years see nothing of English life as a rule. They are confinel, so to say, to the four corners of their study-room in order to get through the subjects and prepare themselves for the examination. After a man passes that competitive test he remains there only for one year when he has got time to see the British people and understand the British people and mix with them; whereas if a man passes his competitive examination in this country and is sent to England for a probationary period of two years, he goes there with a certain amount of feeling of having done something in life; and he will be hetter able to mix with the British people and he will be able to understand them, and they will be better able to understand him, and he will spend his two years which will be most beneficial to him, and to the Service whea he comes back, 31858. But I suppose a man who goes to

England under those circumstances at twenty-two or twenty-three has his character pretty well fixed by that time; he can study English methods of Government, but he is not likely to get any more of the English spirit into him than if he went, say, at thirty or thirty-five, is he? -I do not know what you mean by "English spirit". 31859. It is a phrase which is constantly used

before this Commission: I can hardly explain it to you. If your answer is that you do not know what English spirit is, I will not pursue that?— I understand the ordinary British spirit.

21860 To put it plainly, it is the acquisition of those characteristics which Mr. Ballour refers to in his third class of qualifications, which is what a boy is supposed to get when he goes to England and goes to a public school for educa-tion?—If you mean by a British spirit, these third class of qualifications, namely firmness, decision, and rapid intention, then I say that that must be born in the man.

31861. Can that be obtained by any training?-You can develop it, to a certain extent by training, but you certainly cannot acquire it

if it is not in you. 31852. You desire to see the listed remain as they are?—As a matter of fact, I am really indifferent. My only reason for saying that is that I think that there ought to be some such exception left in order to give those men a chance who may prove exceptionally brilliant, That is my only object; but I am indifferent,

\$1863. If you leave the listed posts as they are, and if you institute simultaneous examination, and if you take away three fourths of the appointments of the Judicial Service from the Civil Service, do you think it likely that you will get the same class of Englishmen to go up for the open competi-tion as go up for it now?—I do not see why we should not.

Continued.

11th March 1918.]

\$1864. You do not think that the Service would less its popularity for recruitment in England by having lost three-fourths of the Judicial appointments, and by the fact that for the rest of the appointments they would have to compete with the enormous competition which would come from Indians?—I do not see why it should.

31865. It would become more popular, do you think?—No, it will not be more popular: but the necessities of life will cause more men to compete

31866. How do you propose to recruit this higher Judicial Branch which you say should be recruited from the Bar ?-- I should say by nomination only, because I cannot think of any other method at the present time. The nomination must be in the hands of an independent Board.

\$1867. What Board would you have ?-I should like to have a Board consisting of the Judges of the High Court, and some of the leading Members of the Bar : because those are the only people who would be really competent to judge.

\$1868. You would oppose recruitment by means of competition between members of the Barwho have been in practice for three or four years?—I do not think any useful purpose would be served by that sort of competitive examination. Too are not bound to select a man because he is of five years' standing. You might get a man of ten years' standing, or more. It depends, therefore, whether you have got a much better field.

·31869. When you speak of the Bar, do you mean the Indian Bar, or would you admit Euro-

peans ?-No, the Bar in India.

31870. You would not take any guarantee that they knew the Vernacular, for instance?— As a matter of fact, there are very few higher Judicial officers who know the Vernacular; they have got interpreters and translators, and I do not think it is absolutely essential, having regard to

the existing system. 31871. As regards this language question, one of the reasons you mention for the Indian Civil Service Officer not knowing the language is that he confines himself to gymkhanas and clubs. But, the officer in Bombay who for seven-twelfths of the year is in camp by himself, in tents, can hardly give himself up to gymkhanas and elubs during that period, can he?—As I have soid, during that period, what I know is this, that he does not really mix with the people. He may have his work to do, and which he does, and probably the only opportunity of speaking in the Vernacular he has got is to speak with his servants.

31872. Does he speak the Vernacular when he is trying cases with witnesses? -I do not think so. He never understands much of it.

He never speaks to them in the Native languages?-I do not say, never: he does make attempt.

31874. You say you know it?-Yes, I know it myself.

31875. You say you have spent very little time in the mulassal?—I have seen Magistrates trying cases,

31876. In Bombay?—No, up-country. I have myself appeared before them. I have not appeared often, it is true; but I have appeared in some cases sometimes, myself.

31877. Your experience is that the officer upcountry cannot talk to his witnesses in the Vernacular ?- No, not even when he is Sessions Judge or listed. 31878. Not even when he gets to that post? -I can give you instances with regard to a number of District Judges whom I have appeared

before, and they even cannot speak the Vernacular. Mind you I do not say that there are no Civilians who can speak the Vernacular; but, I say, it is

the general rule.
31879. How many exceptions do you know?-I should say hardly one per cent. That would

mean one in one hundred.

31880. That would mean only two men in the Bombay Civil Service?-Yes, who can fluently speak the Vernacular and understand the witnesses.

31881. You would put it down at two men in the whole of the Bombay Civil Service?—Yes. That is the experience I have had with most of the: District Judges.

3 882. You say that the standard of the Vernacular Examination for Indian Civilians is very low. Have you ever been an examiner?-I have not been an examiner, but, I have had discussions with two or three of the examiners in Bombay; One is Mr. Mirza Ali Abbas Baig who is a Member of the India Council. He was an examiner in Bombay for a long time. The other is the Orien-tal Translator, Mr. Kadri. I have also had talks: with Members of the Civil Service, and from them I have gathered that the standard of the examination could not be very high one. 31883. Is the Oriental Examiner in Bombay

of opinion that the standard of examination which is held for Civilians is much too low?—I have had-talks with him and I have gathered facts from

31884. Is it his opinion that the standard of: the examination held for Civilians is much too. low ?-I have gathered facts from him.

S1885. What facts?-The facts I havegathered from these two gentlemen are that really a very great efficiency in the language is not wanted in order to pass the examination.

31886. Is that their opinion? Is that theopinion of the Oriental Examiner ?- In a way it

does come to that

\$1887. Is it his opinion ?-Yes. That is how I understand both these gentlemen. 31888. You do not find fault with the subjects-

of the examination?—The subjects may be laid down there, but the question is, what are theexamination papers?
31889. You think the papers are of much too

low a standard ?-That is what I understand.

31890. What you understand: but do you know? -I have not seen it.

31891. (Mr Fisher.) Were you called to the Bar in England or in India?—You cannot be called to the Bar in India, it is only in England that you can be called to the Bar.

31892. You studied in England?—Yes, \$1893. Did you read in Chambers in Eng-land?—No, I read in the Chambers of two-eminent Counsels in Bombay—one was Mr. John. Macpherson who was the Acting Advocate-General of Bombay and the other was Mr. Love, who was the Advocate-General of Bombay. 31894. Did you attend the Courts in

London ?-I did, when I was there, for about eight

31895. You were only there eight months?-I was there nearly four years and a quarter altogether.

Mr. Manomedali Jinnah. in

feontinued.

31896. Practically, studying law

London?—Yes.
31897. Do you think that that period was

beneficial to you?—Certainly, most beneficial. 31898. You got a good deal from your legal atudy in London?-Certainly.

31899. You would advise a friend who was going in for the law here to get some legal training in London?—Most decidedly.

31900. I gather from your saswer to Sir Murray Hammick that when you say that the higher Judicial branch should be recruited from the Bar you mean to include not only Indian barristers, but also English barristers?—Certainly. 31901. With respect to the element which

you wish to recruit from the Civil Service, I gather that you require them to select immediately after the competition which branch they intend to enter, whether Judicial or Executive?-They must decide from the very start.

31902. They must decide, or the Government?-Of course it is the Government.

81903. Would there not be some difficulty in making that decision at so early a period? Would it not be difficult for Government to see whether a man is fit for the Judicial or the Executive side immediately after he has passed his open competition?-It will be certainly better than the present system, where you decide to take men for the Judicial and when they are no good for the Judicial.

Would it not be rather a haphazard method?-It would not be, if I am right in my opinion, when a man passes the contractitive test he is a man above the ordinary ability and character. If that is the correct proposition, then you can safely select a certain number who have passed the competitive test. I think that a man ought to make a good judge provided he is a man of ordinary intelligence, and provided that he gets a proper training from the beginning. The chances are that he would make a good Judge. 31905. You think you could safely make the

selection at once ?-I think that would be best.

31906. In your asswer to question (39) you say that Subordinate Judicial posts should be filled by High Court Plenders of not less than five years' slanding. Does that include, or exclude District Pleaders ?—Yes. What is done with regard to the Subordinate Service at the present moment is that you fill in the Subordinate Judicial Service by the nomination of Pleaders of not less than three years' standing. I want to increase the three years to five years. That is the point of my answer.

31907. (Mr. Macdonald.) In answer to question (13) you say that you do not think the present age limit is satisfactory. Why?-Of course, this is a very minor point really, because after all it makes a difference of two years, and I think it will be better to have a man who has pessed his competitive examination when he is younger, so that he may utilise his probationary period more beneficially.

31908. Is that the only reason?-That is the

only reason I can give.

\$1909. You think that one year is enough for that? You think the probationary period should have one year's reduction ?-It is a very small point, but you can utilise that one year when he is younger.

31910. Do you think to take off that one year at the age at which the open competition is н 495-85

held would be enough to give an adequate probationary training?-You give him two years instead of one now

31911. You think that one year would be enough ?-Yes, I think so.

31912. (Mr. Sly.) You are auxious to see an increase in the number of Indians in the Indian Civil Service, and you recommend to us that the best method of securing that end is by simultaneous examination. That recommendation, I understand, is based mainly on the principle that the present system is an unfair handicap to Indians; and, secondly, on your opinion that the same method of entrance, that is equality in all respects as regards Indians, is essential to secure equality of That is your position, treatment in the Service. is it not?—Yes, substantially. \$1918. Is the inequality of treatment on

which you lay stress in respect to official promotion and official prospects, or is it an inequality connected with social matters ?- My point is that I want Indians to enter the Service by the same door as the Europeans. Any other door is likely to affect the prestage of the Service so far as Indians are concerned, and affect the tone of the Service and the Administration. I say that Indians ought to enter by the same door as Europeans do. If there is no object in making a distinction, why make it? If there is an object what is the object?
31914. If there is a separate examination how

do you think it would affect the tone of the Service ?-It is quite clear.

31915. You think that their prospects of promotion would be less? What is the good of getting more pay?—I think the prestige and the gentiment and the moral aspect is much more important than higher pay. If you even provide higher pay it will affect the other branch: in fact, it will affect both branches.

31916. Under your scheme of probation, I understand that you want the successful candidates who select the Judicial branch to be trained in England, and you want the successful European candidates who choose the Executive branch to be trained in India, and the successful Indian candidates to be trained in England ? - Yes, that is my

31917. Do you think that that differentiation which you make between Europeans and Indians is likely to affect the prestige and tone of the Service in any way?—Certainly not, because it does not affect the principle. It is because you have two different conditions to deal with.

\$1918. Having got them into the Service by the same examination you then propose to put them in separate pees for the first part of their Service?—No, I do not. It is only to meet this point that an Indian, in order to make him an efficient rervant, must have a knowledge and experience of Great Britain and the British people, In order to make an Englishman an efficient servant he must utilise that period in acquiring a knowledge of the ways, manners and enstoms of the Indian people and of the place to which he is going as an administrator. That does not affect the principle.

31919. With regard to your plan for the Judicial Service, you recommend three different systems of recruitment, one from the Bar, the second from the Provincial Civil Service, and the third from the Indian Civil Service. In that

Continued.

proposal you got a Service recruited by three different methods? - Yes.

31920. Do you think that the fact that men are recruited for the Service by three different methods of recruitment will affect the prestige and tone of the Service ?-That is a suggestion made by me in order to meet the present situation that has arisen. I am not by any means satisfied with the suggestion, but it is only to meet the present situation.

31921. You do fear that even that system may to some extent be open to the objections which you have raised against any separate method of recruitment for the Indian Civil Service ?-Strictly speaking, it is open to those objections, Personally, if there were no difficulties in this instance I would extainly say that the whole of the Judicial brauch should be recruited from the Bar, as is the practice in England,

31922. From the Indian Bar?-No. any member of the Bar, as is the case in England.
31923. From the Bar practising in India, not from the English Bar?—Yes.
31924. With regard to recruitment for the

Judicial branch from the Provincial Civil Service, on have recommended that it should be from High Court Pleaders with not less than five years'

graph could resear with not less than hye years practice?—Yes.

31925. The present rule, as I daresay you know, is a minimum of three years' practice?— Yes.

I understand your proposal is that 31926. that should be increased to five years?-Yes.

31927. Do you not think that if you increase it to five years is would mean recruitment of men of a somewhat older age, and that that would somewhat prejudically affect the recruitment of the Service in some respects?—If you are going to have more senior men you will require either to improve the prespects of the Service, or you will have to be content with a lower standard?—The five years' period, I think, ought to be there, because it is necessary. You are better able to know the man's wokr if he has been practising for five years, and you have better opportunity of judging. Two or three years at the Bar is a period in which a man is not really able to do very much, and you are not able to judge.
31928. With regard to recruitment to the

Indian Civil Service, you have strongly recom-mended that it should be by simultaneous examination without any regard whatever to any easte or communal representation. With regard to the Provinceal Civil Service, are you also opposed to any easte or communal representation, or are you prepared to accept the present situation ?- I want to begin with one at a time, and I would begin in

this case from the top.

31929. For the present, you would leave the rule with regard to caste and communal representation? -I have said that I do not wish to disturb the method of recruitment for the Provincial Civil Service, but that does not mean that I am satisfied with it.

31930. Assuming, that the present system which you recommend of open recruitment by a simultaneous examination in England and India should not, for any special reasons, prove suitable, south 2005 for any special reasons, prove successors, is there any alternative molloud of recentinest for securing the aim you desire, namely, the further appointment of Indians. Can you suggest anything for our consideration? You have suggested, for instance, that the Indical Service should be

largely recruited from the Bar in India. Would you prefer an extension of that system? Or is there any other system of recruitment for the Indian Civil Service as a whole, and not merely for the Judicial Branch, which you can suggest as an alternative for our consideration?-My recommendation for different methods to be applied to the Judicial Service is based on the ground that the Judicial Service stands on a different facting from the Executive Service. In order to get proper men into the Judicial Service you have to deal with the two requisites which I have laid down, and in order to comply with those two requisites you have to adopt different methods in the Judicial Service from that of the Executive Service. Therefore, the Executive Service stands on a totally different feeting. That being so, I feel that there should be no special reason, so for as the Executive Service is concerned, for any difference or distinction. If you make any distinction, or differentiate, it will not only lower the tone of the Service and impair the administration of the country, but it will not satisfy the people of India. You must remember that you have educated the people of India, and tanght them the same British character which you want in the Service. Having taught them that British character, any circuitons method, any method by which you do not allow them to enter the Service by the same door as Europeans are allowed to enter, will certainly not satisfy the people of India, and certainly it is not in the interests of the Service.

31931. No; but it is not a suggestion to shut the Buglish door?—No; but you open another door. 31932. You open the Judicial door?—Then you come into the same room by another door.

which I think is not desirable.

\$1933. There is no other system you can' recommend?-The mere fact that you are not allowed to go in by the same door is enough to stamp the Service with inferiority; and it is a distinction, which will be disastrous.

31934. (Mr. Gokhale.) You are at present a nominated Member of the Viceroy's Council?-Yes. I am nominated by the Government of

S1935. Before that, you represented the Muhammadans of this Presidency for three years in that Council ?-Yes, I did. 31936. And you also served as a Presidency Magistrate in Rombay for some time, did you

not?-I acted for six months. That was a very long time ago.

31937. I thought you had some experience as a Presidency Magistrate?—Yes, I had experience

as Presidency Magistrate for six months. \$1938. I should like to have your idea about an expression which has been coming up constantly an expression which was been course of its enquiry, before this Commission in the course of its enquiry. Will namely, "administration on English lines". Will you tell us what you understand by that expreson " administration on English lines in India "?-I understand by "administration on English lines" that it is administration not by Englishmen but administration which is carried on by men who are thoroughly competent and fit and efficient. I am opposed to fixing any limit of any kind whatever.

31939. I do not want you to go into that. Let us analyse this expression "administration on English lines", so as to get some clear idea as to what is meant by it. When you speak of Mr. Mahonedaki Jennah.

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"administration on English lines in India", you do not mean administration similar to that which

they have in England, do you?—Certainly. 31940. You mean that the administration in India is similar to the administration in Eug-

land?—On similar principles 81941. It is not on similar principles ?- It is

not today.

31942. Therefore, when you speak of the present-day administration of India, it is not correct to describe it as administration on

English lines in that sense ?-That is not correct, 31943. Yo do not mean that the administration is similar in nature or character to that which exists in England at the present day. Am I

correct in that?—Yes.

31944. For instance, this combination of the Judicial and the Executive functions. That is not on English lines as understood in England?-Certainly not.

31945. Again the Bureaucratic character of the Indian administration is not on the same lines as the administration in England conducted under the control of the tax-payers ?- Certainly not.

31946. At the same time, comparing this administration with the administration of pre-British days in India, you can find your way to a meaning of this expression, can you not?-If it is intended as compared with the pre-British time, I can understand it.

31947. That is the only way in which you can understand this expression?—If it is intended to be used as compared with pre-British time I can understand it, otherwise I do not understand it.

31948. It is a description of the administration which has been evolved in this country under British Rule, and you can understand its distinctive character only by contrasting it with what

existed before?-Then I can understand. 31949. Let us try to analyse it. There are certain general characteristics of this administration which are easily recognizable, for instance, equal justice, at any rate, as between Indian and Indian ?-Yes.

31950. Also the promotion of the interests of the masses: there are these general characteristics which you recognise as belonging to British administration in India? Yes, certainly.

31951. You admit that ?—Yes. 31952. Would you also admit in a general way that the frame-work of the administration is Oriental or rather Indian?—Yes.

31958. But that certain characteristics have been super-imposed on it by Englishmen exercising authority in this country. Do you agree with that—those characteristics which I have mentioned just now, equal justice, the promotion of the interests of the masses and so forth?—I agree with that.

31954. Those are the general characteristics of "administration on Ruglish lines in India"?-Certainly.

31955. In addition, Englishmen in charge of the administration have impressed on it certain special characteristics either as individuals or as a class: do you agree with that?—Yes.

31956. For instance, loyalty to the Central Government, a sense of discipline, a sense of duty, rendiness to take risks and so on. These are impressed upon the administration by Englishmen either as individuals or as a class? -Yes, that is so.

31957. And this is what constitutes the main difference between the "Administration on English lines" as we have it today, and the administration which generally existed in this country in pre-British days. You agree with that?—Yes, I agree. I understand that distinction.

31958. It is desirable to maintain the administration on these British lines and improve it? You would assimilate it more and more with what it is in England?-Our ideal is England.

3 959. In any case you want to maintain it as it is ?-Yes.

31960. And, therefore, only such Indians as understand the spirit of this administration, and would be able to carry on the administration on these lines should be in the Civil Service. You

agree with that ?-Certainly. 31961. The whole question, therefore, comes to this. Do you think that in course of time the number of Indians who would be so available, would go on increasing ?-I have not the slightest

doubt about that.

31962. And your contention is that when such a number of Indians is forthcoming the English sersonucl need not necessarily be what it is today?—Quite so. That is the promise and that is the declaration and that is the Proclamation given to us from time to time by the British people, 31963. At the same time, in the present eircumstances, you say that for a number of years Englishmen are bound to predominate in the Service ?-Yes, for a long time.

31964. But as Indians, showing similar characteristics and expable of running the administration on the same lines, come forward in greater and greater numbers, you do not think that it would be a disaster to the country if the English personnel were reduced?-Certainly not, if you mean that under no circumstances and under no conditions, and for ever, and for all times to come, there must be a certain minimum, or maximum, whichever you like to call it, of Boglishmen as such, if you mean that, I do not agree with it.

31965. You do not accept that ?—No. 31966. You think that as Indians come forward with the necessary qualifications everything ought to be freely open to them?-Yes. certainly. 31967.

This western education which is imnarted in India does develop, to a certain extent, the characteristics I am speaking of in Indian youths, does it not ?-Yes.

31968. And as this education improves, the development of these characteristics will be greater ? -- Certainly.

Your scheme of competitive examina-31969. tion in India would be calculated to test these

qualities?—Yes, in my opinion. 31970. Because, the Indian youth coming under these Western influences as represented by Western education, develops much more these He would. He would certainly continue to improve the British line of administration more and more as he gets more and more educated, not

individually but by communities.
31971. Therefore, under your scheme simultaneous examinations, if young men are first tested by a competitive examination here, and then are sent to England for their probationary period, you think they will have in a sufficient degree these characteristics which we both agree are necessary

continued.

to continue the administration on what has been spoken of as "English lines"?—Yes. I say that these two years spent by him in England would certainly improve him in this direction a great deal more than is the case with Indians who have to go at the present moment and have to lock themselves up in their rooms to study for eighteen months or two years in order to go in for the competitive examination when they have very little chances of improving themselves in the direction indicated.

31972. To Indians who have developed these eharoteristics in the way I have pointed out, would you allow the fullest opportunities to run the administration on these "English lines" without restriction as to numbers?-Certainly.

I do not see why not.

31973. (Mr. Chantal.) As regards what you said in reply to Sir Murray Hammick about the examinations in the Vernacular, and your conversation with two examiners, have you heard at any time of any Civilians who have been kept back because they have not passed any Vernacular examination?—Never. I have never heard it.

31074. In your answer to question (11) when you say: "In my opinion the Executive or the Judicial Service ought to be separated," do you make that sentence a part of the answer to the question about a separate method of recruit-ment?—No: separation of functions. Executive

and Judicial.

31975. So that it does not really come in as an answer to where you are asked to recommend any separate method of recruitmnet?-No, 1 do not think it is quite correct. What I meant was that there should be a separation of functions, Judicial

and Executive. 31976. By putting that statement there, I thought what was passing in your mind was, when you were asked about recruitment to the Judicial Branch, that a Branch should be solely an Executive or Judicial one in the sense that no other branch would have any judicial work left to do ?-That is right.

31977. It was under the impression that the Judicial Service in the country was a Service which had got to do with Judicial work and

nothing else ?-That is right. 31978. And that there was no other Branch of

the Service which had anything to do with it?-Yes. 31979. It was recruitment to such a Judicial

branch that you were thinking of ?-Yes, 31980. (Sir Theodore Morison.) With regard to your answer as to language, I understand you to mean that the Civilian usually has the opportunity of talking either to rustics or to his servants; and that he acquires his knowledge of the language from them and not from the educated classes?—Yes: It comes to that, really, but I do not think he acquires his knowledge much from the rusties. I have very often seen Civilians talking to rustics through their servants. It is only the servant who understands the Vernacular.

31981. You think the language could be acquired better if the Civilians mixed with the acquired octor in the commans make a that he educated classes?—My first proposal is that he cought to be made to learn the language in a proper way. There must be some regular system, a proper curriculum and a proper examination. Unless a man mixes with the people, as you know perfectly well, he cannot really learn a language.

31982. You say that they should mix with the people and be on terms of equality with the educated classes. What language do the educated classes of Bombay speak ?—The dinner we had last

classes of femtery speak e—The curner we had last night would be very propensations. 21958. What do you mean by educated people ?—Educated people would mean not only men who know Eeglish, but men who coupy certain posts in life, either in business or some other branch of work. There are a lot of people who do not know much. English but know the Vernacular. It depends upon which part of the Presidency you are in.

Presence you are in.

31984. I am asking about the City of
Bombay?—The young Civilians do not start in
the City of Bombay: they start in the mufassal.

31985. The difficulty is greater here than in Bengal or up-country. Here, it seems to me that there are a great many different languages, and if you mix with the educated classes you would hear a great deal of English spoken. Your own language is Urdu, is it not?—My own language is Gujarati; and I speak Urdu.

31986. De you speak Marathi?-Only a very

31987. Canarese?-No.

31988. In talking to an educated man you would talk to him in English?—Yes, if he does not know Gujarati or Urdu, which is very seldom.

31989. How many people from the Marathi country speak Urdu as you know it? I understand it, and they would understand what I say. 31990. Their knowledge of Urdu is not

sufficient to carry on a conversation with educated people; for instance, you could not discuss this matter with them in Urdu?—I can speak Urdu myself.

31991. But they would not understand it?-A good many would follow what I said. Urdu is a language you can get on pretty well with in any part of India. It may not be Lucknow Urdu, My complaint against the Civilian is that it is not

even Bombay Urdu,
31992. Do you think that if he mixed with the educated classes in Bombay he would have much opportunity of learning the Vernacular? That is my point?—Yes, if a Civilian made proper efforts he would.

31993. If he went amongst particular sec-tions of the people be would hear Gujarati and Marathi spoken, and Urdu?—I very often speak English when I am amongst my own people. Supposing, I have a gathering of the Anjuman Islamiya, the majority of the people talk Urdu.

31994. If a Parsi gentleman came in you would speak to him in Urdu?—Yes. If an English gentleman were present at such a gathering he would have plenty of opportunity of talking Urdu if he wanted to improve himself.

31995. I do not understand your contention of the property of the third property of the property of the the principle of your written answers when you say that the only way to get rid of this case feeling is for all to come in by the same door. That is the expression you use I—I es. What the people of India feel is that this Service is practically elected to them. If you open it, quest to them that the there is to them in the same spirit so as to remore the same spirit so as to remore the

caste feeling:
31996. Is this caste feeling absent in those Services where entrance is by the same door and the same method?—Certainly, to a very great extent, so far as the Service is concerned. Take, for instance, the High Court Judges,

Mr. MAHOMEDALI JUNNAH.

continued.

31997. That is hardly a Service. I was thinking of the enrolled list of the Finance Department?—Let us take the highest, the High Court Judges. You have got English and Indian Barristers. Both are appointed High Court Darrieters. Don't are appointed again country Judges. The Indian Exercister feels that he is exactly in the same position as his English brother Barrister: there is absolutely no feeling of distinction of any kind whatever.

31998. That is hardly a Service, is it? Such an elevated Service would hardly accept the baser feelings ?- I look upon the Bombay Service as a corps d'élite.

31999. Look at the other Service; do you find an absence of this class feeling?—Socially not. As far as the Service is concerned there is no

such things as caste feeling, qud Service. 32000. Qud Service. No disti distinction made officially between a person who happens to be Indian by birth and English by birth in the Civil Service, is it?—It would be so, because the method of recruitment is different. That would leave the stamp of some kind on those who are recruited by a different method. 32001. The High Court is recruited by several

methods?-That, as I said, is the Judicial Service. I make a distinction between the Judicial Service

and the Executive Service.

32002. In answer to question (3), do I understand that you found your opinion upon the recommendation of the last Public Service Commission: have you framed your opinion upon their evidence? You say, "Those who have entered the Service have, I mean the Indians, performed their duties to the satisfaction of their superiors and have generally proved themselves efficient in the Service of the State. That was the opinion of the Public Service Commission". It is rather old evidence, is it not? Do you found your opinion upon that, or upon any other evidence?—I have other evidence of what I personally know. I know personally about eight or nine Indian gentlemen, and every one of them to my mind is quite as good as any English Civilian I have ever known.

32003. (Lord Ronaldshay.) With regard to this language question, of course we all recognize that it is most desirable that the Indian Civilians should, so for as possible, be able to converse with the people in their language. I suppose when you said that the examinations in languages were really not of very much use as a test of a man's ability to talk the language, you were referring to the De-

partmental Examinations?—Yes.

32004. Do you think that a man who has made a special study of a language and passed a high proficiency test, or some examination of that kind, generally speaking would be fairly well qualified to speak the language?—I think he would.

\$2605. You said in answer to one question that you thought that there were scarcely two that you thought that there were scarcely two men in the limbury servie who could spake the banguage of he country adequately. Would it surprise you to hear that I have the names of eight Civilians who have passed the high profi-ciency examination in various languages? For intance do you know Mr. Scidon 2—No. 38005. Would it surprise you to hear that he resed that Declara Resimistion with Heanesen.

passed the Persian Examination with Honours; and would it surprise you to hear that Mr. Wild passed Sanskrit with high proficiency, and that Mr. Rothfeld passed Persian with high proficiency, and that Mr. Wild also passed in Gujarati with high proficiency, and so on? I do not want to go

through the whole list. I suppose you were not aware of these facts when you said that there were not more than two men in the Bombay service who could speak the language?-I based my experience on the members of the service with whom I have come into contact. I have come in contact with a number of men during the last ten years in different capacities, and I have found only one man who could really speak the vernacular : I am talking of the vernacular and not of Sanskrit or Persian.

>2607. You would consider Marathi a Vernacular ?-Yes.

32008. And Gujarati?-Yes.

32009. You are simply speaking of your own personal experience?—In my personal experience that let I have come across only one Civilian who could speak Guiarati fairly fluently and could carry on a conversation in that language,

32010. Then the inference from the facts that these officers have passed these examinations with high proficiency, and so on, is that your experience really is not necessarily a very wide one on this matter?—I do not claim to have a very wide experience,
32011. You are only speaking from a limited

experience? - Yes.

32012. With regard to what you sail about Indian Civilians only talking to rusties through their servants, have you ever spent any fairly long period with a Sub Divisional Officer, for instance, during a six or seven months' tour in the villages ?-No. I have never followed them on their tours. 32013. So that you are not speaking from a

very wide experience in that case?-No. I do not claim to have very wide experience.

32014. Have you seen Indian Civilians when

engaged in famine work?-No.

3:015. , So that these assertions of the inability on the part of Indian Civilians to talk to the people are not based upon very wide personal experience?—Certainly not wide personal experience.

With regard to what you said about 32016. our desire to get the best administrators, that, as I understand, is your main object; you want to get the best administrators you can for the

country? - Yes.
32017. Do you think that an examination is quite the best test of a man's capacity to make a good administrator in this country ?-I do not see why it should make any difference in this country

82018. I have various circumstances in my mind which I want to elear up upon this point Let me put this definite question to you. Would a Hindu who had got a few more marks than an educated and influential Muhammadan make a more efficient administrator in a Muhammadan District than a Muhammadan would?—As a matter of fact there is no such thing as a Muhammadan District. There may be Districts where there are a large number of Muhammadans but there is no such

thing as a purely Muhammadan District. 32019. I am not suggesting that every man, woman, and child in a particular district is a Muhammadan ; but are there not districts throughont the whole of India (you say you have travelled over the whole of the North of India and other parts of India) where the population is largely Muhammadan?—Yes.

32020. It has been represented to me the difficulties might arise if you put a Hindu in charge

Mr. Mahomedali Jinnah, 11th March 1913.]

of a Muhammadan population. Do you think that a Hindu who had got a few more marks than an educated and influential Muhammadan would make a better and more efficient administrator when he was in charge of a population which was largely Muhammadan than a Muhammadan gentleman would do ?—If I may say so with great respect that question involves more than one question. If you put first of all this question:—Supposing, a Mulammadan gets a few marks less than a Hinda, should he be passed over? my answer would be that he should be passed over certainly, because that is the test that I lay down, a competitive test. Then you would say .- Although in principle the answer is certainly that he should be passed over, having regard to the fact that you may have a district where you have a majority of people who are Mussalmans, would you not therefore select a man who has got less marks, it may be very few, and who happens to be a Musselman? I say in that case you will be doing the greatest injustice to that Bindu.

32021. May I interrupt you? You are not answering my question. I was not asking you whether you would be doing a particular man an injustice. I want your opinion. Which of those two men would make the best and most efficient administrator under those circumstances?—It is not a question of better or worse. I do not see why a Hindu should not be in charge of a Distriot where the majority bappens to be Mussalmans. I know two Indian Civilians holding very high posts, and both of them are Hindus. I have been to that District, and I have never heard of

any complaint against them

320-2. So that your answer to my question is that under the circumstances I have suggested to you the Hindu would be entirely as satisfactory an officer as the Muhammadan?-Yes. It

all depends upon the man.

32023. When you say that, you are getting sway from the purely Examination test?—I

attach no importance to a man's sect.

32024. With regard to your Scheme for the recruitment of the Judicial Service, in answer to a question which was put to you, you said that the Judicial was recruited from officers when they had proved failures on the Revenue side. That is rather an important statement. Could you tell me what your authority is?—I have heard that. I cannot say anything more than that. 32025. Who have you heard it from?—I have

heard it from saveral people. If you want to

know : beir names, I can give you them. 32026. You have made a very definite statement there. It is rather a grave charge, it seems

to me, and I want to know on what authority it is made?—I say I have heard it from people.
32027. We cannot attach much importance to it as evilence?—You may or may not. It is very often said that people who are not successful in the Executive are very often put into the

Judicial 3:028. But you have only heard that said: you cannot give us any real facts ?- I cannot say more than that I have heard it generally.

32029. We are wanting facts for our evidence, You also say, "It has been proved that Civilians which the Government is worked make unsatisfactory Judges"?—Yes. 32038. No doubt—he has

ge up to the High Court from Civilian District Judges. I should very much like to know if you can give us the numbers of those cases in parti-cular years, and also the proportion of those decisions count years, and must the important the most decisions which have been upheld in the higher Court, and the proportion of those decisions which have been reversed?—You have only got to look at the Law Reports, and you will see.

32081. I have not got a copy of the Law Reports with me. Do you happen to know what the figures are?—I have not numbered them up.

32032. But I assume before you made that statement that you totalled them up?-No. I have been in practice at the Bombay Bar for the last fifteen years and I have had the honor of dealing with the judgments of District Judges from different parts of the Presidency. their work, because I have often appeared either to set aside their judgments or to support their judgments; and whenever I have appeared to support their judgments my task has been much more difficult than when I have appeared to upset their judgments. That is my experience during the last fifteen years. Further, during the last two years I have had the honor of appearing before more than four District Judges in this Presidency in cases of very great importance. Those cases also came before the High Court on appeal. Remember, I do not blame the men, I blame the system. I say, having regard to the system that you have that it is impossible to get proper Judicial Officers. That is my point.

32033. I understand that is your opinion The question I asked you was whether you can supply me with the figures?-I have had no time. I was only asked to give evidence on the 22nd of February. That is why I had no time. Otherwise I would give you all the figures.

32034. Do you hold the opinion that the experience which an officer gains during his first few years on the Revenue side of the Service, is of no value to him when he is subsequently made a Judge ?-It may be, but very little. Our Barrister High Court Judges have had no experience of the Executive or the Revenue line.

32035. We have had it represented to us by the Chief Justice of this Presidency that a man during his Service on the Revenue side gains a knowledge of the people and a knowledge of the working of the Government, and he says that that is very useful to him when he becomes a District Judge?-1 do not know what experience the Chief Justice has on that point.

3:036. I am asking you whether you agree with his opinion?-I say it is of very minor importance

32037. He also told us in evidence that, generally speaking, Barristers are very ignorant of the machinery of Government in India, but that Indian Civilian Judges knew all about Government and that it was very important in these cases .that they should have a knowledge of it. Do you agree, or de you disagree with that opinion ? fail to understand it. As a Judicial Officer, I do not know what he has got to do with the way in

nake unsatisfactory Judges "?—Yes. 35058. No doubt-he has a great deal of 2000. Yes said you would rather not go administrative work. I am asking you whether into details, but I should be very grateful to you. you agree or disagrees with-the evidence of the you would go into details. For instance, you 'Ohird vastice?—I do not agree if the Ohird Justice you do not not be number of cases which he has said that for a Judicia Officer it is essential.

Mr. Mahomedati Jinnah.

Continued.

that he should have experience of how the Govern- of law as well as they ought to, having regard to ment is carried on.

The important posts which they occurre namely.

. 32039. I suppose you agree that, the opinion of the Chief Justice is one which ought to carry a certain amount of weight with a Commission of this kind?—That is for the Commission to decide.

32040. You, would not express an opinion upon this point?—No.

32941. With regard to this system of recruitment suggested by you, do you think that these posts, such as the post of District Indigeships, would prove sufficiently attentive to secure the best men from the Bar 7—Not the best men. The best man you will not get for a High Court Judgeschip: but certainly you will get competent men ", who will do justice to this office."

32042. You think you would get a class of men-who would certainly make better Judges than , the Indian Civilian?—Yes, certainly, at the present moment. I have not the slightest doubt in my mind about that.

... 82043. This is a personal question, and perhaps you would rather not asswer it. Is it a sort of position you would consider attentive to yourself? I do not want to ask you to answer the question if you would rather not?—I want to asserse it. As a matter of fact; I would not care if the High Court Judgeship undersold of the desired to me to-day. So I am out of the question,

.32044. You told us in answer to question (60) that you think the pay of the Provincial Service is far too low?—That is what strikes me.

32045. You think there ought to be a general rise in the pay of the Provincial Civil Service?— I think they ought to get more than they get now. 32046. You are a member of the Imperial

Legislative Council, are you not?—Yes.

32047. We may assume, I suppose, that if
the Government suggested a rise in pay for the
Provinced Civil Sortice you would be orbits connect

the Government suggested a rise in pay for the Provinces Covil Service you would beartify support it on the Council?—As a matter of fact, I will tell you what my position on the Council now is if you would like me to do so.

32018. (Mr. Heaton.) I understand when you say that the higher Civilians of the Indiciary are not gwing satisfaction, that opinion is based upon your own experience?—Yes, it is based upon my experience.

32049. Do you know whether it is an opinion which is generally held?—I'hat is the opinion generally held by the Bar and the public.

32050. How do you gather the opinion of the public?—When I say the Bar and the public, I mean the educated public.

32051. You gather it, I suppose, from conversation with them?—Yes; and I have my own personal experience during my fifteen years' work.

32052. You say you do not blame them?-

No, I do not. 20053. But you blame the system?—Yes, I spack with great deference, and I do not wish to be disrespectful in any way. In my option, and in the opinion of the Bar in Bombay, the Grillian Judges (of course there are exceptions, and some very great exceptions) as a rule are not af all satisfactors, especially when they sit on the Original Side. I have personal experience where Districts Judges do not understand the principles.

or naw as well as they ought to, having regard to the important posts which they occupy, namely, those of District. Judges and Sessions Julges, When they cannot get the right kind of training, it is obvious that there must be that state of falings.

32094. You do not attribute it in any way, to the competitive examination bing an insulincial tast for men who are afterwards to become yodges I—No. The competitive test is nothing more than an ordinary man passing his B.A., and then becoming a Bertster. The competitive test does not make him a lawyer; it is a test which shows, generally, a men who is above the ordinary salily and optimary character.

32055. There is no disalvantage about it?-

32056. At first sight, one might be led to suppose that there was from your own opinion?— It is no disadvantage to get through the competitive test.

32057. It is a question of training?-Yes, it is a question of training. A question was put to 32057. me by one of the members of the Commission who pointed out that there would be this difficulty in the case of the Civil Service that you would be selecting men haphazard. You must remember that in order to get men who have Judicial minds, or who make efficient Judicial officers, certain qualities are necessary, and they may, or may not, be found in the man although he may have passed his competitive examination. Therefore, if you select from the Civil Service you will be selecting them, to a certain extent, haphazard: and they may not be successful as Judicial Officers. Whereas, if you get them from members of the Bar there is great safety, because you know, as a matter of fact, that you are selecting men who have proved successful, or male their mark actually at the Bar in that line. To that extent the Bar would be a better field to recruit from than the Civil Service.

33055 Do you think that any man who had myde his mark at the Bar would accept even a a District Judgeship?—No. if he was ut the top, But supposing he was a man grating work, and getting on, if a District Judgeship was offered to him. I think he would accept it. There are many, I think who would.

2009. I suppose you have not had time to think out any scheme because remaiting in the Judicial Service, at any rate as it exists more, from the list, means that you would have to fill a loft Assistant Judgeships, etherwise you block the presention of Assistant Judges to a hopoless extent?—That is so.

Jagges to a hopeness extent?—that is so. 320-06. So that, presamably, it would involve men taking appeintments which were not well pool in the hope of exting the bugher appointments afterwards. Would that he higher has track men whe had in any way made their mark; It did not mean that they were at the top of the profession; I meant that they were showing signs of secses at least pend, which has a very critical one in the camer of a member of the far. I think there are several people who would take up an appointment, such as an Assistant Judgeschy, beginning at Re. 500 with the prospect of exciting ratio higher posts in the Judicial has. He might become a Desicied Jadge or a High Court Judge, with a position and so on; and thresfore at that stage of their excess it might trangt mony men.

11th Morch 1913.)

Mr. MAHOMEDALI JINNAH.

Concluded.

32061. You think at that stage of their career they would have displayed efficiency which would show them to possess the qualities you desire?— Five years is not a test. If a man does not show any signs in five years you might as well put him on one side, although there have been exceptions to that rule

\$2062. I gather that you look forward to the time when with a very largely increased number of Indians in the Civil Service, you will have an equally efficient administration, perhaps more efficient?—It might be more efficient. I cannot

any that at present.
32063. But at any rate you would hope that
it would be at least equally efficient?—I should
certainly think it would be equally efficient.

32064. Supposing, for instance, you carry your imagination to that extent: supposing two-thirds of all the superior appointments were held by Indians, do you think that the character of the Administration would change? I am not using the word in any injurious sense, I mean you would have an Administration which was guided by Indian ideas and Indian methods, would you not. There would be a change?—When we reached that stage, namely, two-thirds of Indians and onethird English people, I do not think there would be any possibility of the Administration going keck to old methods. I feel that it will advance along with the new methods, along with the nations of the world. Those days of the pre-British time have gone.

\$2005. You think there would be no serious chance of a reversion to that type?—I do not think there would be any chance of retrogression, or set-back.

32066. (Mr. Bhadbhade.) In answer to question (39) you say, " Subordinate Judicial posts should be filled by High Court Pleaders of not less than five years standing. There is ample field for selection amongst this class." I suppose you indicate one of the fields of recruitment to this that correct?—Yes. I say, "High Court Pleaders of not less than five years' standing. There is ample field for selection among this class."

\$2067. Do you say that that should be the only field of recruitment, or that it is only one alternative? Would a distinguished Pleader from the mufassal be eligible ?-No; my idea is that it should be confined to High Court Pleaders,

32068. Pleaders of below five years' standing may be briefless?—The High Court Pleaders practice all over the place. They not only practice in the High Court but they practice in the mufassal, in the Small Courts and Police Courts.

32069. I am not confining it to the High Court Bar. You mean Pleaders in the mufassal?

32070. (Mr. Joglekar.) In answer to question (60) of the Provincial Civil Service series you have expressed an opinion that the rates of pay of the Provincial Civil Service are much too low?

82071. In the case of Deputy Collectors the minimum pay is Rs. 300 and the maximum pay Rs. 800?—Yes.

32072. There is an upper division and a lower division of the Executive Branch : the minimum pay is Rs. 150 and the maximum pay is Rs. 250. You would raise these two minimums?—I have not thought over as to what increase should be made: but I am certainly of opinion that some reasonable increase ought to be made.

(The witness withdrew.)

#### GHULAM MAHOMED BHURGEL, Esq., Zamindár, Bar.-at-Law.

Written Answers relating to the Indian Civil Service.

32073 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system is unfair to the Natives of India. It has practically shut the door to a free admission of Indiaus. Only a very select and limited number have been able to get in the Civil Service through this system. For only an infinitesimal number of the Natives of India can afford the considerable expense and speculative outlay involved in the trip to England. The system is unsatisfactory in principle, as it fails to do due justice to the legitimate claims of the people of India to a proper share in the highest branches of the administration of the country.

32074 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Coming to matters of detail, I may say that the examination itself is of such a nature as to afford the least facilities to the Natives of India. The syllabus is defective, and manifestly unfair to Indian candidates, as it fails to afford them equal chances of success with English aspirants. Subjects relat-ing to It dia, with which Indians are as well

acquainted and which are as much in their line as similar subjects relating to Europe are familiar to English candidates, are conspicuous by their absence. Thus there is no Indian Vernacular, no Indian History, no Hindu Law, no Muhammadan Law, no Indian Philosophy. Also, a smaller number of marks are allotted to the Eastern

Classics, Sanskrit and Arabie, than those allotted to the Western Classics, Greek and Latin, The alteration, I would suggest, is the introduc-tion of the above subjects relating to Iudia in the syllabus of subjects for the examination. This is all the more necessary as India is to be the arena of the future labours of the members of the

32075 (3). Is the system equally suitable for the admission of "Natives of India" and of other the admission of Natives of India and obtaing natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system is quite unsuitable to the Natives of India. I would recommend the holding of an examination in India identical and simultaneous with the Civil Service examination held in England

\$2076 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Services with that for the Indian I civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Such a combination is not to the advantage of Indian interests. I would, therefore,

reh 1918.] Mr. Gudlan Mahoned Bhubgel

recommend that the Indian Civil Service be kept apart from the other hindred services. By this means, the examination for the Indian Civil Service could be specialized with particular reference to the needs and requirements of Indian.

32077 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I would propose the holding of an identical and simultaneous Civil Service examination in John. The competitive both in England and in India should be finally elassified in one list according to man;

\$8078 (6). In articular, what would be your cylinon tragerding a vystem of abuntlaneous examinations in Ledia and in England, onen in both cases to all natural-bern subjects of Bis Majasty 8—I would strongly advocate the institution of such asystem, as teaching to exame a general freedom and opteness of admission to all comers. Such a system would be equally fair to both the European and the Judian element.

3.073 (7). What would be year opinion with regard to hilling a fixed proportion of the varancies in the Indian. Civil Service cadre by Natives of India, resmitted by mense of a separate examinations in each province or group of provinces in India, 7 to in two resolt as selome, what proportion do you recommend I—After the system of simultaneous Civil Service examinations held in Begland and in India, the system of simultaneous Civil Service examinations in India Civil Service exdre by Natives of India, recruited by means of a separate examination in India, would be the next best. The proportion I would recommend is 50 per cent. I may add, however, that nothing would be more conformable to the wheleas of the Natives of India, that, the system of simultaneous examinations. It is only in the unfortunate event of this system not being adopted that the other system of remultiment

32480 (3). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India do you consider that "Natives of India" should still be eligible for appointment in England ?—Certainly. If Englishmen are eligible for appointment in India, there is no reason, in justice or expediency, why Natives of India should not as well be eligible

why Natives of room assound not as went one dispute for a spontaneau in England.

20:03. (10). Would you regard any system of relection in Initia which you may recommend for young men who are "Natives of India," as being in less of, or as supplementary 60, the present system of promoting to intel pasts offices of the 1 revisical Crill Service T if the farmer, what alteration, if any, would you recommend in the conditions agreening the Provincial Crill Service 1—I do not approve of the system of listed posts. I would becomend that certain higher posts be exclusively reserved to the Provincial Crill Service on a more extensive scale.

32:032 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Uvil Service? If so, please describe the system which you would propose?—Successful candidates at the Uril Service examination desirons of joining the Judicial Department of the service should be asked to declare their intention. They should then be made to undergo a special course of training in Law, and particularly Indian Law. After this, they should be subjected to a special test in Law and patientarly Indian Law. The above training should be undergone by them in addition to the course of probationary instruction smally prescribed. Lastly, once having entered the Judicial Branch they should be permanently retained in it for the whole of their service. In this connection, I would incidentally recommend that half the number of posts in the higher branches of the Jadicial Department should be filled by mostless of the Bar.

slid by enumbers of the Bor.

3.086 (12). As you estaided with the present statutory definition of the term "Natives of India," in section of the Gorerment of Loidin Arts, 1876 (33 Vict. a. 3), as including, "any person here and demiciale within the Dominister of His Majesty in Tadia of parents babinarily resident in India and not established there for temperary purposes only," traspective of whether such persons are of unmired Indian descent, or of unmired European and Indian descent, or of unmired European descent If India, state fully any proposale that you wish to make in regard to this matter I—I am not establed with the present definition. The term should not include a person of unmired European deceent. Such a parson or under European deceent, Such as parson or under European deceent, Such as parson or under European deceent. Such as parson or under European deceent, Such as parson or under European deceent. Such as parson or under European deceent. Such as parson or under European deceent. Such as parson or under European deceent. Such as parson or under European devent. Such as parson or under European devent. Such as parson or under European devent. Such as parson of under European devent. Such as parson of under European devent. Such as parson of under the India.

32054 (13). If the system of recruitment by open competitive examination in England is retaired, state the age-limits that you recommend for cambidates at such examination, giving your reasons—The present age-limits are, in my opinion, too leve, and should be raised to 22–25 years. A low age limit only pute a ponium on immaturity, or, at the low, a forcal and premature development of wind. Mature tallett is at a great discount at present. 232055 (19). What in your opinion is the meat

32085 (14). What in your opinion is the most suitable age at which Junior Civilians recruited in England should commence their official duties in India ?—Above 25 years.

37886 (15). What age limits for the open competitive examination in Brightand would least suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of India and for other natural-born subjects of India and for the natural-born subjects of India Majesty — In my opinion, piper age limits than those obtaining at present are necessary, particularly for Indians. For the people of India generally undergo a several years' course of instruction in their own veneroulars and religious subjects before commencing their English chearting, the completion of which is considerably delayed in consequence. Hereo I would suggest the raising at the age limits to 32—5, epicabilly for Indian candidates. However, if the age limits are generally raised, as I have suggested, for all candidates, the purposes of the Indian students would be sufficiently served.

S20S7 (10). What alterations, if any, do you recommend in the authorized syllatus of subjects and marks presented for the open competitive examination !—The syllatus should include subjects appretaining to India, as India will be the future field of the labours of the service. Twos, seeme Indian Vernacular, Indian History,

11th March 1913.7

· Hindu Law, Muhammadan Law, Indian Philosophy should be introduced. Also, an equal number of marks should be allotted to the Eastern Classics as those allotted to the Western Classics. I would also suggest that Persian may be introduced as an Oriental Classic.

32088 (17). Is any differentiation in the subicots for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is necessary, if the above subjects relating to India are included in the syllabus.

\$2089 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—No. No such reservation is necessary or desirable. There is no reason of necessity for this course, as the requisite qualifications for the highest offices can be found among the Natives of India. Nor is there any reason of true and just policy, for the less there is of reservation and monopoly and the more of freedom and openness of admission, the better it will be for all parties concerned, including even the Government of the country. Besides, the reser-vation of appointments on the basis of race would be contrary to the terms of the Statute of 1833, to the Proclamation of 1858, and the spirit and traditions of British Statesmanship regarding India for over half a century.

32090 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No, I am not at all satisfied with the present system, as it fails to secure a fair or adequate admission of the Indian element in the

Civil Service

32091 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No, it was a bad system, as there was no test to ensure efficiency. It should not by

any means be revived.

32092 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the syistem should be introduced or re-introduced. to what extent, in your opinion, should it be adopted?—The system has once been in force in Sind, and now no longer exists. I would not recommend its revival. The military bent and habit of mind, and military training and education are not adaptable to the conditions and require-ments of Civil administration.

32093 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers, from other Indian services ?-No. Recruitment to the Civil Service of the country should not be made from any other service either, as the necessary qualifications, habits of mind, training, education and experience will be wanting.

32034 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts or the initial civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I am against the system of listed I would advocate instead the exclusive reservation of some of the higher posts in the administration on a more extensive scale to members

[continued.

of the Provincial Civil Service. 32095 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am against this system of listed posts in toto. I would recommend instead the exclusive reservation of some of the higher posts in the Public Service on a larger scale to the Provincial Civil Service.

32098 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?-As I am against the system of listed posts altogether, it is unnecessary for me to answer this question. I would however suggest, instead of this system, the reservation of some of the higher posts in the Public Service, to the Provincial Civil Service.

32097 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service? -Yes, a period of probation is necessary to ensure

working efficiency.

working efficiency, 2009, for how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers? - Two years. The course of study stready prescribed may be retained. But Hindustani and Hindu and Muhammadan Law should be made compulsory,

instead of being optional, as at present.
32093 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—According to the present system, no differentiation appears to

be necessary.

32100 (32). Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The course of instruction for European probationers would best be spent in India. This would provide the necessary point of contact with the subjects studied. The course of instruction for Indian probationers would best be spent in England to provide Indians with the necessary knowledge regarding English life, manners and institutions.

\$2101 (33). Do you think it desirable to start at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—Yes, it is very desirable, for matters and subjects Indian can best be taught, learnt and

realized in India

32102 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre ?-No. There should be one Central College under the control and management of the Government of

arrangements that you recommend ?-No differen-

32103 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced !-The present arrangements are unsatisfactory. I would suggest that Junior Executive Officers should be made to acquire practical knowledge and experience of executive and administrative work in the office of the Mukhtyarkar for a year, prior to their being given charge of any substantive appointment. Junior Judicial Officers should be made to acquire a practical knowledge of legal work in the Court of the Subordinate Judge for

a year, prior to their being put in charge of any substantive Judicial appointment. 32104 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate Proficiency in the study of the Indian languages, and if not, how could this best be remedied?—
There never has been any substantial and practical proficiency in the knowledge of Indian languages possessed by members of the Indian Civil Service.
The examinations held are much too theoretical in their nature. Besides, all further touch with the language is lost or abandoned after the examination has once been passed. No practical acquaintance with the language is cultivated or maintained. At least one remedy that suggests itself is to make the examination a more practical test.

32105 (37). Please give your views as to what steps (if any) are necessary to improve the profi-siency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—Successful candidates at the Civil Service examination desirons of joining the Judicial Department of the service should be asked to declare their intention. They should then be made to undergo a special course of training in Law, and particularly Indian Law.
After this, they should be subjected to a special test in Law and particularly Indian Law. The above training should be undergone by them in addition to the course of probationary instruction usually prescribed. Lastly, once having entered the Julicial Branch they should be permanently retained in it for the whole of their service.

32106 (38), Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—No special course of study in Law in India will be necessary, if such officers have undergone a special course of training and a special examination in law during their probation, as I have shready suggested.
32107 (39). Do you recommend any special

training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes. Junior Judicial Officers should be made to acquire a practical knowledge of legal work in the Court of the Subordinate Judge for a year, prior to their being put in charge of any substantive Judicial appointment.

32108 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special tiation is desirable. 32109 (41). If you have recommended the

introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The probation and training should be

a course of 2 years spent in England. 32110 (42). Is any differentiation necessary in

regard to the probation and training of members of the Iudian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of mmixed European descent? If so, please state your proposals?—No differentiation is necessary.

32111 (43). Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?-All my suggestions on this subject are contained in my previous answers

32112 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligicompensation annuance introduced to too, eag-bility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange componention allowance should be abolished. The abolition should only be prospective. If so, no conditions are necessary

32113 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?-I would not recommend, abolition of the exchange compensation allowance, compensation in the form of increased salaries. the should be abolition without any compensation or increase of salary. There will be no grievance, as the abolition is only to affect future entrants. Those already in receipt of an exchange compensation allowance may continue to receive it-

32114 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services hidding listed ports, do you approve of the arrangement by which they draw salary approximately at the rate of two thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service? -This attrangement is unfair. All these various officers hold the same posts and do the same work, and it is but fair that they should be paid the same. For there is a question of dignity and prestige involved in the question of salary. I would resommend one uniform salary for irrespective of the officers by whom they are held.

### Written Auswers relating to the Provincial Civil Service.

32115 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?-If the system of simultaneous Civil Service 11th March 1913.]

[continued.

examination, or the system of recruiting a fixed proportion of Indiane by an examination in India, is adopted, I would advecate the abolition of the Provincia Uvid Cervice altogether. But if it is to be retained, an examination test should be substituted for the present system of nonlation. The choice of members should critically be confined to ratificate of the Province, whenever the requisite local talent is available. This will secure, in the members of the Service, proper acquisitence with the local research this, sustoms and conditions. The due commonal representation of the different communities can be had at the examination in proportion to their numerical strength. If the interests of edificiency require importation from outside the Province, it may be necessary to make such.

independent found nutside that province, It may be necessary to make such. \$2116 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their attention?—No, for the reasons given in my last answer. My Procummendations are also contained in my last

оприсет.

\$2117 (57). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it helongs?—Yes. Recruitment should ordinarily be restricted to residents of the Province. But it may be necessary to make importation from outside the Province whenever the interests of efficiency require it. In this connection, I would observe that parts of the Presidency that differ materially in language, habits, enstours and conditions (such as Sind, for instance, from the rest of the Presidency), should be considered separate Provinces for the above purpose.

23118 (64). An all classes and communities duly represented in your Provincial Ciril Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object.—No. This is desirable. The various trees and communities should be represented at the examination for the Service which I have

suggested according to their numerical strength. 22110 (55). Are you satisfied with the existing arrangements for the training ad probatino of officers appointed to the Trovincal Gvil Service? If not, please state your objections, and what other arrangements you recommend?—The existing arrangements are not estimatory. Merchers of the Provincial Gvil Service should be made to acquire practical knowledge and experience of executive and administrative work in the officer of executive and administrative work in the officer of the Matchigation, Deputy Collector and the Assistant Collector for a year or more.

32120 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Gvil Service are estisfactory? If not, please state your views?—The numbers are not satisfactory. In some grades the numbers are too small, and in others they are too large. The numbers of efficers in the various grades.

The humbers or uncers in two behaviors in the problem of the officer of the officer of the executive and judicial banches of your Provincial Givil Service differentiated? Is any change desirable, and I would advocate the complete severage of the Judicial Banches of your Provincial Givil Service differentiated? Is any change desirable, and I would advocate the outpiler severage of the Judicial from the Executive. The appointment to the Judicial and the Executive should be made separately.

\$2122 (58). Are you satisfied with the present designation "the Provincial Civil Service?" It not, what would you suggest!—I am indifferent. I see no reason why the present designation should not be kept.

32123 (60). Are the existing rates of pay and grading in the Provincial Civil Strives of your Province adequate to secure the desired qualifications in the officers appointed I finely what a directions do you recommend?—No. I would suggest that Doputy Collector's grades be reduced from six and a grade pay, I would propose a starting pay of Re. 400 rising by Re. 200 to Re. 1,000. Fin the case of Subordinate Judiges also I will recommend the same pay.

S2124 (61). Do you approve of the arrangement by which officers of the Provincial Orril Service holding lietder jord draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments F - I do not. These various officers hold the same posts and do the same work, and it is but fair that they should be paid the same. There is a question of dignity and prestige involved in the question of of salary.

32125 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service 1 In particular; do you regard the existing differences between the keave rules for the European and Indian Services as sailable?—I would propose that accumulations of leave for the Provincial Civil Service be allowed to the extent of 12 months,

32126 (68). Are you satisfied with the present system of supernamentaline pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am not quite satisfied with it, I would suggest that the compulsory retirement age he reduced from 55 to 50. In this connection, I would also suggest that the system of granting extensions in service be a follibled.

22127 (64). Are you satisfied with the existing cognitation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any engestions that appear to you to be suitable?—I am not existed with the existing organization of the Provincial Service. It has operated as a bar, in many cases, to the advancement of Inchas to the higher appointments. Again, the Judicial Department of the Strick Compress unknownshy with the Executive Danch, regarding pay, promotion and prospects.

\$2128 (66). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If it is please explain them.—Yes. They are the following: () The compulsory retirement sign should be reduced from 55 to 50. (ii) The system of granting extensions in service should be oblished. (iii) Travelling allowance in the case of members of the Provincial Civil Service holding listed posts should be the same as those allowed to members of the Indian Civil Service. (v) Ist class travelling charge by nil should be allowed to members of the Provincial Civil Service. (v) After a service of 20 years, the members of the Trovincial Civil Service may retire on Medical Certificate. But after a service of 25 years the members of the contribute.

Mr. GHULAN MARONED BRURGEL

may retire without Medical Certificate. (vi) The Magistrates be amalgamated with the Subordinate system of Attached Deputy Collectors should be done away with. (vii) The posts of the Resident Judges and be made subordinate to the various High Courts.

Mr. GHULAM MAHOMED BRUDGER, called and examined.

82129. (Chairman.) You are the representa-

tive of the Sind Zamindárs ?-Yes. 32130. You are in favour of simultaneous

examinations?—Yes, I am. 32131. And you are against fixing a minimum proportion of Europeans for employment in the highest posts ?-Yes.

32132. Do you consider that there should be a preponderance of Europeans in the administration?—At present there will be, and ought to be.
32133. Are you in favour of it?—Yes, at

present,

32134. You are not prepared to fix any reserve to ensure that?—I do not think it necessary, because I do not think that Indians will reach that limit in the next generation, but I would do so when the contingency arises.

32135. In default of simultaneous examinations ou would recommend a separate examination in India for the recruitment of 50 per cent. of the vacancies in the Indian Civil Service?-Yes,

32136. Would this examination be one for all India, or would you make it Provincial ?-- I would prefer it to be for the whole of India, because I want these successful candidates to be listed again on the same list with the Indian Civil Service members at home.

32137. Would it be an open examination, or would it be an examination combined with nomination?—I am in favour of it being an open

examination-open to the whole of India. 32138. Do you suggest that the successful candidate should pass his probationary period in

England?-Yes. 32139. How long do you suggest?-One to two years.

32140. At a University ?-Yes, at a University with the Indian Civil Service men.

32141. You do not approve of the system of listed posts ?-No, not as it is.
32142. You recommend that certain higher

posts should be exclusively reserved for the Provincial Civil Service?—Yes. I would have those posts merged into the Provincial Civil Service-

32143. Would you give the same rate of salary to these officers as to officers of the Indian Civil Service ?-Yes, I would give them the same

pay. 32144. What difference would there be between these posts under your scheme and under the listed posts scheme?-At present they are only open to Provincial men, but under my scheme they will be altogether merged into the Provincial Civil Service, and the Provincial Civil Service will claim them as a right.

What advantage do you see in that ?-32145. At present, the posts are thought to be of the Civil Service cadre and they might be filled at any time by Civil Service men, but will be now merged into the Provincial Service and reserved for them.

82146. What proportion of nosts from the Executive and the Judicial branches would you merge into the Provincial Service under your scheme?—I believe it is 6 per cent. at present. I would make it something about 10 or 15 per cent.

32147. How many would you give to the Judicial and how many to the Executive ?-I believe half and half.

32148. In addition to that you recommend that 50 per cent. of the posts in the higher branches of the Judiciary should be filled by members of the Bar ?- I would have a certain percentage from the Judiciary and a certain percentage from the independent Bar, and a certain percentage from

the Provincial Civil Service itself 32149. You are going to take away the present listed posts, put them into the Provincial Civil Service and then recruit for the Bruch from the

three sources you mentioned?-Yes 32150. That would make a considerable inread on the European element in the Administration?

-It would to a great extent. 32151. To the extent of something considerably over three-quarters of the Judiciary? - I will

put it at one-half at least, if not more. 33152. You say you would have the proba-tionary period spent by Indians in England, and by Europeans in India?—Yes.

32153. You also suggest the possibility of the establishment of a special Institution in India?-Yes, I do, a college in India.

32154. Where would you like to see it? - In

some central place, some big town.

32155. That would be ovclusively for
Europeaus?—Yes, in both cases. If simultaneous examinations are held then Indians would have to go there, and if separate examinations are granted then the Indian stulents will go to England for probation, while English candidates will come

32156. Would you give them training under European or Indian officers?—Both.

32157. You suggest that bifurcation between the Executive and the Judicial should take place immediately after the examination ?-Yes,

32138. Do you not think that a period of years spent in the general line is profitable to an officer prior to his entering the Judicial Branch?—
It has some advantages, but, at the rune time, it has some disalvantages. By being an Executive officer for some time he learns to deal with matters from an Executive point of view. When he comes to the Judiciary he cannot shake that off for some time.

32159. You would like to see an officer decide on the Judicial Branch directly after the examination and after a certain period of probation largely occupied in legal training he would then commence in one of the subordinate posts in the Judiciary and

work his way up?—Yes.
32160. You say that if a simultaneous examination, or separate examination, were introduced, you would abolish the Provincial Civil Service?-Yes, certainly.

32161. What would you put in its place?-At the present the Provincial Service is divided into two parts, the upper and lower Provincial Service. Of course, the lower Provincial Service in the case of Mamlatdars and the Mukhtivars will have that; but Deputy Collectors and the Subordinate Judges who form the highest

foontinued.

Court of the Previncial Civil Service-I would abolish that and recruit those two Services either by separate examination or by simultaneous examination, as I propose.

You mean that the higher branch of 32162. the Provincial Civil Service should be merged into the Indian Civil Service ?-Yes.

32163. And all who entered that would have to go through the ordinary examination ?-Yes.

32164. What is the particular advantage that proposal?-At present, the Deputy Collectors and the Subordinate Judges who form the higher grade of the Provincial Civil Service are kept on a separate list. According to my scheme they will be merged in the Civil Service. will be more competent men who will come through the open door of competition. That is the advantage, I think. You will have more Indians in the Civil Service by having this method without having to reduce the number of Europeans,

, 32165. I think you suggested that under a system of simultaneous examinations very few Indians would get in in the early days?-Exactly

\$2166. If you take half the Provincial Civil Service and merge it into the Indian Civil Service and ask each of the candidates to go through this examination, is that going to increase the Indian element?—It would not; but I think I would have it as a principle, because by competition you will have better men, and by and by as you go on, after a generation, say after 20 or 25 years, you will have a great number of people coming in.

32167. You think that, at any rate, for the next few years, there would be a very appreciable decrease in the Indian element in the Service?-

32168. You are prepared to see that?-Yes, I

do not mind that,

32169. Do you think that there would be any difficulty about promotion under your scheme? Do you not think that there might be a danger of even greater stagnation with regard to promotion than there is at present ?-I do not think so.

Will you not be enlarging the number of inferior posts in the Service necessitating a long wait for officers at a comparatively low salary Have you thought of it from that point of view? -No. I have not.

32171. In your answer to question (62) you recommend that accomulations of leave for the Provincial Civil Service should be allowed up to twelve months ?-Yes,

32172. Will not that mean a very long interval between the leave of each officer?—It will. At present the officer can accumulate only up to three months. That is quite unfair to him.

32173. It means that he can go for several years without taking any leave at all. Do you think that that would be good for the Service as apart from the good of the officer?-I do not see any barm in it.

32174, (Lord Ronaldshay.) Your suggestion to merge the higher posts in the Provincial Civil Service with the Indian Civil Service would also, I suppose, involve considerable additional expend-

ture, would it not?—It would, additional expenditure, would it not?—It would have to raise the pay of the existing Provincial Civil Service posts?

—Yes.

82176. I understand that this suggestion of yours depends upon the acceptance or not of a system of simultaneous examination, or a system of separate examination in this country ?-Yes.

32177. In addition to your suggestion for simultaneous examination, you also suggest raising the age limit especially for the Indian candidates do you not?-Yes, I do.

32178. And you also suggest an alteration in the Syllabus of the examination in order to suit the Indian candidates better ?- Yes.

32179. And in addition to that, again, you suggest that half the posts in the higher Judicial Service should be recruited from the Bar out here? -Not exactly one half, but one-third to one half, a considerable number.

32180. What occurs to me is this, that all those changes taken together will make a very large alteration in the existing system. I want to ask you whether you have considered that if such a large alteration is made in favour of the Indian element, you would still attract the hest type of European to the Service? Do you think that that would be so ?- From my scheme under which you get people from the Bar it is not exclusively bringing in Indians. You may have Europeans from the Bar too.

\$2181. But, would it exclude the incumar Civilian? I am only talking now about the recraitment for the Indian Civil Service ?- I say you may have a certain percentage of Indian Civilians in it. I do not mind that. You recruit a certain proportion of your Judiciary from the Indian Civil Service, and a certain percentage from the Bar, and so forth.

32182. You have been to England, have you

not?-Yes,

32188. And you know something of the conditions in England?—Yes.

32184. Do you think if all these changes which you suggest in favour of Indians are brought about, the Service will still be sufficiently attractive to secure to it the best type of European administrators?—At present there will be very few Indians coming in. I cannot say what you will have after a generation, say after twenty YEARS OF SO.

32185. You have no fears on that point ?- No. 32186. In answer to question (63) of the Provincial Civil Service questions you say: "I would suggest that the compulsory retirement age should be reduced from 55 to 50 "?—Yes.

. 32187. You also suggest that the system of extensions in the Service should be abolished?-

32188. I suppose that would entail a con-siderable addition to the non-effective charges, would it not?-Yes, it would.

\$2189. Do you think that that is a serious argument against your suggestion ?-No, I do no think it is a serious argument against my think it is a secretar argument against my suggestion. This question has been considered for a long time by the people concerned in the Service, and I think the unanimous opinion so far is that

it should be so. 32190. If we were to make recommendations of this kind, do you think there would be an outery in this country that we were making extravagant recommendations?—No; on the contrary people

would thank you for it. 32191. (Sir Theodore Morison.) You are much interested in education in Sind, I believe?-Yes, 32192. I understand that Sind is educationally

backward?-Yes, very indeed,

32193. I suppose that that is particularly true of the Muhammadan Zamindárs in Sind?-Yes. 82194. To what extent do the views you have expressed represent the opinions of the Muham-madan Zamindérs in Sind?—As a matter of fact, the Sind Zamindárs, most of them, 99 per cent., are ignorant and do not know about these things,

and have no opinion to offer; but since they have seen Indian officers working as District officers they think that the Indian officer is far better for them. That is the general view about simultane-ous examinations. These other thing they do not understand. These who are educated are

certainly of this opinion.
32195. (Mr. Uhanhal.) In answer to question (57) you say: "There is no differentiation at present. A change is very desirable". Is that answer given from practical experience of what you see in your district, or is it simply a theoretical opinion? -It is from my experience. As a Zamindár I have a good deal of experience about these matters.

32196. (Mr. Macdonald.) You are a Zamindár

of Sind?—Yes.
32197. As such do you come into touch with
District officers?—Yes, I do a great deal. 32198. A great many questions have been put

regarding how far they have been in touch with the ryots and cultivators. Could you tell us what happens when a District officer comes into camp in your district?-As a matter of fact, the District officer, when he comes into camp, does not ome into touch with the people, except certain privileged people who get those privileges through the subordinates. Beyond these people, nebody comes in touch with him.

32199. Is there no general contact between the two?—None whatever. The system in Sind is that a man, whatever may be his position and wealth, is not allowed to sit on a chair before the Collector or the Assistant Collector, unless he gets a purwana, and is listed as a chair-holder. That privilege you can only get by being in the good books of the Police and the subordinates. Those chair-holders are the only people whom the

Collector meets.

32200. Do you say that our Collectors have a sufficient command of the language of the people to get into direct contact with them? -There are some who certainly have; but there are others who certainly have not. They can only speak a very fow words, and those very imperfectly.

33201. How can a man who does not under-stand the language do his work? What means does he take?-He does it through his clerk, who can interpret.

\$2202. He uses an interpreter, just as I should have to do ?-Yes.

82203. When in camp do you come into contact

with him as a Magistrate?—Yes. 32204. Do you know how he does his Magis-

terial duties ?- A Collector is a District Magistrate: he does appellate work mostly. 32205. Is that done in camp?-Yes, some-

\$2206. Do the witnesses and pleaders in connection with appellate work have to appear?— Witnesses and everybody. They go from camp

to camp.
32207. That is in connection with appellate work ?-Yes, and also in connection with original work, if he takes any.

Mr. GHULAM MAHOMED BRURGEL,

32208. Original work is done by the Assistant Collector ?-Yes.

32203. Is that done in camp?-Yes, mostly. 33210. With the same results so far as the ezal advisers and the witnesses are concerned?-IYes.

32211. They have to go from camp to camp? -Yes; and sometimes they have to go enormous distances on account of the Collector or Assistant

Collector moving about.

32212. Supposing, I was an accused person, and had to come before an Assistant Collector, do you mean to say that I should not know where I was going to be tried; do you mean to say that I should not know where I was to see the Assistant Collector?-Sometimes, you do not know whether he is in camp or not, and you do not know where you will find him. You may have to make search.

32213. Should I have to make scarch for him. or would be make search for ma?-You would have a summons to appear on such and such a day before the Magistrate, and it is your duty to go and find out where he is. It may so happen that

he may be twenty miles from where you are. 32214. I had no idea of this. Do you really mean to say that un Assistant Magistrate issues a summons to an accused person and says "You have got to appear before me," or whatever the form is, "on such and such a day"?—Yes.

22215. And that he does not give information as to where he will be on that date?-In many

cases that happens.

\$2216. And the accessed person has to find out where he has to go to?—Yes. I cut give you instances of my own cases. I have had to find out where the Collector is, and go there. Some-

times, we do not know where he is 32217. What does the High Court say to this? Has not this been the subject of complaints?-Yes, it has been; and recently some Assistant Collectors so for as they can have given

their camps to the Bar.

32218. Is this a condition of things which is inseparable from the union of the Executive and Judicial functions?—Certainly. We hal to remedy this. Government have appointed another set of officers, resident Migistra'es, who are resident in certain places, to try cases and relieve these other Executive officers.

32219. Criminal cases ?- Only criminal cases, \$2220. How has that been working? - It is working very well, with this exception that unfortunately, these people are not placed as subordinates of the High Court, but the

subordinates of the District Magistrate. 32221. These people have got no Revenue functions, and no other Executive functions ?-No.

32222. They are purely Judicial officers?-Not purely. 32228. So far as their functions are concerned?

-As long as they are resident Magistrates they are purely Judicial.

32224. But they are subordinate to the Executire officer?—They are on the list of Maunlatians. They are liable to be transferred. Sometimes a Maunlatdar is a resident Magistrate for two months and vice versa.

\$2225. You said, I think, that you did not object to Provincial officers accomulating leave up to twelve months. How long will it take to accumulate twelve months ?-At present, he cannot accamulate more than three months. Under my 11th March 1913.7

a year ?-Yes.

Mr. Ghulan Mahoned Bhurgei.

Continued:

scheme, we would not be allowed more than twelve months at any time.

32226. He can only scoumulate one month

32227. And it will take twelve years to accumulate his twelve mouths?—Yes.
32228. Do you not think it is necessary that

32228. Do you not think it is necessary that it should be insisted upon that he should take a certain number of helidays in order to keep his health and keep him efficient?—That depends on the officer. If he wants to take some heliday he can. He should not kee his leave up to twelve

months.

3229. (Mr. Fither.) You consider it essential that the members of the Provincial Civil Service in Sind should be recruited from Sind itself?—

32230. If the Service was entirely composed of Natives of India, would you think it desirable or necessary that the officers who were officiating in Sind should be members of Sind?—No, I would not object to it; but I would not put anything like that as a bar.

32231. Why would you draw a line between the Provincial Civil Service and the Indian Civil Service in that respects—The Provincial Civil Service has more detailed work to do, and a man from that Province knows more about the conditions, and oestoms, and so forth.

3:23z. It is because detailed information is more necessary to a member of the Provincial Civil Service than it is to a member of the Indian Civil

Service ?- Yes.

32233. (Sir Murray Haumich.) I should like to ask you about this question of the Civilian in Stud, and his ignorance of the language, and his being out of touch completely with the villagers. Have you eree ecompanied a Divisional officer when he is out in earnp in Sind?—I have very eften writted him.

3:234. Have you accompanied him?—No. In the day he is shut up in his tent. In my own village officers come and camp for two or three days, and I am there, and I know what is going on. 3:235. I suppose in Sind they are under the

irrigation of the Indus?—Yes.

32236. And there are a great many water

disputes between the different ryots and peasant.

caldivators?—Yes.

3237. I suppose the Civilian is generally brought into contact with the villagers to settle these disputes?—The camel disputes are referred to the Executive Engineers.

32238. But does not the Divisional officer or Civilian very often have to go out and see the sites of the disputes?—Not, unless there is some

riot or something.

32239. Does he not very often go out?—Not on the canals in Sind. 32240. I suppose there are often disputes in

the villages short village sites?—Yes.
32241. Does he not go into the village and
see the rites?—He goes on horseback.

\$2242. When he is on horseback does he not talk with the villagers he meets?—If he knows the language he does.

32243. But you say that, as a rule, he is quite unable to talk with them ?—Yes.

32244. He takes his interpreter into the village with him?—If he does not know the language he does not go.

32245. He generally takes the interpreter into the village when he disposes of these little questions of village sites?—As a matter of fact the Muktyarkar, who is the Mamlatlar, is always with him.

32246. He always acts as interpreter?—Yes, 32247. And these Mamistdars in Sind know English?—Yes. I suppose with the exception of probably one or two men they all know English.

23248. You do not think that in this way the Divisional efficer in Sind is in touch with the people in his daily rides?—He is not in touch with the people who can come and unburnlen their minds. He goes on horselack, and see the sites.

32249. You mean that he is not in touch with the people of the villages, and they have no access to his tent?—Only the people who are chair-

holders go to his tent,

32250. He never sees anybody in his tent when he is in camp in Sind?—No.

32251. With regard to following the Assistant Magistrate about, does not the Assistant Magistrate when he issues a summons generally state the place where he will hear the ease?—Recently, some have given information of their camp to the Bar, but not to the witnesses.

32252. I am not talking about the Bar?-I
do not know how far they are doing it so far as
witnesses are concerned.

32253. The summons form is always a printed form?—Yes.

32254. And in that form there is always a place left vacant to put in the name of the place. You say be generally does not fill it up?—He did-

not do it, but he may do it now.

32255. Has it not occurred to you, as a
lawyer, that the fact that there was no place of
venue named in the summons would be a very
good neswer to the prosecution of the accused not
appearing ?—No, it has not occurred to me.

good answer to the prosecution of the accused not appearing f—No, it has not occurred to me. 25256. If has never occurred to your closed a me. 25256, if has never occurred to your closed to do satisfied as the name of the place was not you in the accuments, but you have taid your closed that it was his business to follow the Maggi-trate f—He does not want to be prejudiced by the Maggistante by not attending. The Maggistrate would be cross with him, and out of deference in oges and follows him.

32257. You have never had a case in which a man has been prosecuted for not attending any. Court, and has defeated histories of one ground, that there was no place maned on the summons?— Not in my experience; but there have been cases of that seet in Sind.

32258. Do you not think that that would be a, good defence?-It would be, certainly.

-82259. Then I presume if it is a good defence a careful Magistrate is not likely to omit the fine that heisgoing to hoar a case at a certain place?— The accused person gets the summons, and he follows the Assistant Magistrate. He cannot afford to make the Assistant Magistrate, or District Magistrate, offended with him.

32250. So that even if there is a mistake in the summons he will do his best to obey it and find out where the place is ?—Yes.

\$2261. And if he does not, and is summoned for not obeying he would not defend the suit?—I remember one instance. A Magistrate in Sind did not proceed him, he isseed a non-ballable warrant, and the man was at once put into gard.

Mr. Grulam Mahoned Brungel.

Scontinues.

32262. And this practice continues in Sind ?-Yes, in some cases,

32263. And you, as a practising lawyer, surely have taken some steps to stop all these irregularities in Sind?-I am not now a lawyer. I have not been in practice as a lawyer for a few years. I am a Zamindár by profession. 32264. But you have been practising as a law-

yer ?—Yes.

32265. Have you taken any measure to draw attention to these gross violations of the Code ?-The Bar sescontions are always kicking up a row about them, with the result that now some Subdivisional Magistrates send the dates of their

camps to the Bar.
32266. To the Bar and not to the prisoner; apparently the Ear is more important than the prisoner ?- The prisoner cannot agitate, the Bar can

32267, (Mr. Heaton.) You said that the summonses did not state the place where the witnesses or the accused person are to appear?-Yes. 32268. Are you quite sure of that?-I am

quite sure in the majority of cases that the summonses do not state that.

32269. You have looked at them and seen

them ?- I have seen them with my own eyes.

32270. And no place was mentioned?—No place was mentioned. 32271. You say that you have never argued

as a lawyer that that makes the summons invalid?-I have had no occasion to. I have not done so.

32272. You have not done so because you had no cause?—The accused persons are so afraid of the Magistrate that they go and find him out-do not want to offend him.

32273. Another thing you said was that it was a complaint that these stationary Magistrates were placed under Executive officers, and not under the High Court ?-Yes. That is from my personal knowledge.

32274. I am afraid I do not understand the complaint, because every Magistrate, whether he is stationary or not, is appointed in accordance with the conditions of the Procedure Code. He with the conditions of the Proceeding Code.

It is subordinate to those authorities which are provided for in the Procedure Code?—Yes. But here he is not exclusively to be in the Judicial line. He may be transferred into the Revenue, and come back from the Revenue, and so forth. His promotions, and everything, depend upon the Executive and not upon the Judicial.

32276. Your complaint applies to all Magis-32270. Four companies appress to an large-trates, and not simply to stationary Magistrates?— The real complaint of the people about the func-tions of the Executive and Judicial being combined is that the District officer being the head of the Police and also the head of the Judiciary, the Judiciary always tries to please the Magistrate by complying with the requirements of Police.

That is the complaint.

32276. I suppose, I was mistaken; but I understood you to mean that there was some particular complaint with reference to these stationary Magistrates?—Yes, because these Magistrates, in the beginning, were meant to be on the separate list. They are allowed now to go as Mamlatdars, and the Mamlatdars become resident Magistrates; hence, there is a complaint that they do not have that independence which they would have, if they were kept separate as Judicial Their promotion and their future officers alone. welfare do not depend upon the will of the Executive.

32277. The method which you have just described gives them chances of primotion which otherwise they might not have?—Yes.
32278. So that although the public may

ozzio. So that atmough the public may complain of it, at any rate, it has the merit that it does provide for the promotion of the Magis-trates themselves?—No, they cannot be promoted unless they work as Mamlatdars. Only in that case can they be promoted to the post of Deputy Collector, or something of that sort. They cannot be promoted from resident Magistrate to any other post.
32279. Why are they put on the general list

of Mamlatdars?-I cannot find a reason

of Mamjatoars r=1 cannot and a resson.

32280. Then there is no ground of com-plaint?—The ground of complaint is that these resident Magistrates are on the list of Mamlatdars, and that their promotion, depending upon the Executive, goes through the Collector, who is the head of the Judiciary as well as the Police.

32281. You have told us that they do not do any work as Mamlatdars?-They are liable to be

transferred as Mamlatdars.

32282. I understood you to say the very opposite of that. I was wrong. That is the way in which they get their promotion: they can rice

through the grades?—Yes, 32283. The complaint is exactly of the same kind as the general complaint about the non-separation of the Judicial and Excentive

functions ?—That is so. \$2284. I understand that there is no complaint with reference to these resident Magistrates?-No. Most of these gentlemen are Indians. I know from personal talk with them that their promotion depends upon the pleasure of the District Magistrate. 32285. Do you not think that Magistrates are

amongst the chief crities of the Police?-Very few. I know that very few of the class of Magistrates, I am speaking of, the first class to the third class, are independent of the Police. As a

matter of fact they try to please the Police.
32286. That is your personal knowledge?—
Yes, as I told you, it is my personal knowledge.

I have got instances.

32287. Now, with regard to the fouring officer. When he goes to the village in the morning, have you been with him when he rides out?-I have seen him arriving in the villages; I have not travelled with him

32288. If there is a school in the village does

he visit it?---As a rule he does.

32289. Does be visit it from horselack, or does he dismount and go into the school?-He has to dismount. He cannot come in on horseback, can be?

If there is any particular kind of work 32290. If there is any particular kind of work going on, does he not go and see it?—It depends

upon the kind of work. 32:91. Supposing they are making a new well ?-He does not necessarily go and see it.

\$2292. Or some canal work extension, or anything of that kind?-Not necessarily: it depends upon his will. The schools he does visit,

I must say that.
32233. Supposing, there is some Zamindar who is making some particular effort in agriculture, growing some particular crop, or has got some special seed which he is starting by way of experi-ment, does not the Assistant Collector see what

is going on in that way? - Some of them do.

32394. What is the general practice? Generally, it is the Deputy Director of Agricul-

ture who sees to this work.

concluded.

32295. When the Assistant Collector is on tour, does he not look into everything and know what is going on?—As mentioned by Sir Murray Hammick, if there is a village site about which there is some dispute, or some experiment as you suggest, which is exceptionally worth having a

look at, he goes and sees it. 32296. He never goes out of his way to do auything which he is not absolutely bound to do: Is that what you mean?-No. What I said was 18 that was you mean race, where seems that he is not accessible to all people as he is supposed to be. He is accessible only to that limited number of people who, as I have said, have, through the subordinates, got that kind of purwana to sit on a chair. From the official point of view those are the first case people who have a right to sit in a chair before the Assistant Collector.

32297. Who are the people you speak of as occord and save successful.

second class people?—I say, burring these, to other people he is not accessfule.

3229S. But who are the other people?—There

are a lot of them. All the Zamindars are not chair-holders. Very few of them are chair-holders. 32299. Do you say that they have not access to the District officer on tour?—No, unless they

have to go and make some application.
32300. What would happen if they did go to see him?-There are some of them who think that if they go they will not get the right to sit in a chair and will be treated like a criminal, and have to stand up. They would not like to go. 32301. It is this particular matter of the

courtesy of offering a chair which makes the distinction ?- That is one of the causes why these officers are exclusively out of touch with the people in Sind.

32302. What about the field workers, the cultivators, would you call them the lower classes?—They do not go. As a matter of fact, they fly away when they think the officer is coming.

32803. Does not be see a great many of them in the villages?—Some people are there; but nost of the people run away. They think they will be liable to forced labour, which is generally carried on at that time.

32304. Do they still think that?-Hundreds of people are working in the officers' camp without any reward.

32505. On the canals?—No, to make resais, to bring water and fuel, pitch tents, and go on shikar. When the officer goes on shikar he wants a hundred men. They go and make a noise so

that the birds should fly, and he can shoot. . 32306. And they are not paid ?-No, certainly not

32307. Do you know whether the reason of that, is because the District Officer does not pay them the money, or because he pays it to some village headman, or somebody of that kind, and it does not reach the persons to whom it ought to be paid?-I doubt very much whether he pays it.

32308. Have you ever asked them whether he does ray?—There are some who say, that perhaps its 10 would be given to a hundred men. If you call that pay, I will say, yes.

32309. He does pay, but he does not pay enough ?-The officer touring in the district only pays nominally to the villagers who do his work.

32210. That is your complaint?—Yes, the
District Officer only pays nominally for the things

which the villagers provide, and for doing his work. 32311. You say that there is a complaint that the villagers are not paid properly for the things they provide?—Yes, that is so. As a matter of fact villagers do not get anything for all that they provide to officials

32312. (Mr. Bhadbhade.) Question (54) asks. "Are all classes and communities duly represented in your Provincial Civil Service? . Do you consider that this is desirable, and what arrangements do you recommend to secure this object?" To that you reply, "No. This is desirable. The various races and communities should be represented at the examination for the Service which I have suggested according to their numerical strength." Have you thought out any scheme under which the various races and communities would be represented at the examination in proportion to their numerical strength?-Yes. For instance, you want eight Hindus, eight Muhammadans and four Parsis. You have fifty candidates there. have competitive examination, and you can choose the first on the list from each community.

32313. Do you think you can find sufficient quantities from each community? -I suppose so. quantum from seen community?—I suppose so. 32814. As regards your answer to question (63) I understand you to say that it was the public opinion in Sind that no extension should be

granted?—Certainly.

\$2315. Do you refer to the grievance on the part of the younger people who make complaints about the extension not being granted?—Yes.

32816. You have heard complaints from

juniors who have to wait for promotion? -Yes. 32317. What is the objection to the extension provided the officer is physically fit?—Because, you block the way of promotion to other people. The same system is prevailing in the Indian Civil

Service. You know that. 82518. With regard to the question put to you by Mr. Justice Heaton. Do not the Magistrates summonses direct witnesses to come into their camp as is the practice in the Deccan?-I cannot tell you about the Decean. If you like, I can get you a lot of summouses of Second and Third Class Magistrates which have not the place mentioned

32319. I suppose, the travelling officer is well known at the head-quarters of the taluka?-I do not know that he is so very well known

32320. His Diary is settled before he sets out from the taluka, is it not so?—I cannot tell you

32321. (Mr. Joglekar.) In answer to question (64) of the Provincial Civil Service series you have stated, that the Judicial Department of the Service compares unfavourably with the Executive branch regarding pay, promotion and prospects. Do you mean to say that the number of higher posts in the Judicial branch of the Provincial Civil Service is less than the number in the Executive Branch? They start as Subordinate Judges with less pay, 32322. They start on Rs. 150?—Yes. 32323. The Provincial man starts

Rs. 300?-The Provincial man starts on Rs. 150 in the lower branch. There are two branches. What I mean by that answer is that I want the advantages to be on a level with the Deputy Collectors of the Executive branch.

82824. As regards higher posts, do you know that there are seven posts of Rs. 800 in the Judicial branch and only two Rs. 800 posts in the Executive branch?-I do not know that

32325. You say that the Judicial branch compares unfavourably with the Executive branch on the state of facts?—If the statement is correct, then that would be so

> (The witness withdrew.) (Adjourned for a short time.)

11th March 1913.]

Mr. S. M. BHARUCHA.

# SORAB MANERSHAH BHARUCHA, Esq., Deputy Collector and Magistrate.

Written Answers relating to the Indian Civil Service.

32306 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-bons subjets of His Majesty? If not, what alteration do you recommend?—The present system of recruitment is not equally suitable for the admission of the "Natives of India" as the best India intellect is precluded from going to England to compete on mere chance, owing mainly to want of means and partly to parents' unrillingness to send their boys at a tender age to England. 32327 (1). What is your opinion regarding.

system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The holding of a simultaneous examination in England and in India, if a more workable angland and in initial, it more workeness are substitute cannot be found, seems to be a reasonable means of satisfying legitimate aspirations of Indians. But, I would recommend it only it means could be devised to preserve the British character of the administration intact. I am afraid that character and standard would not be kept up owing to the immense number of Indian candidates appearing in the examination, if the examination is simultaneously held in India. If there are no facilities at present for training boys for the Indian Civil Service examination in India, the demand will create the supply, and by and by there will be agitation for eliminating the study of the classical and European languages from the curriculum. Unless competition is a misnomer, the number of successful Indian candidates would tend to be larger every year, and the result would in time be the elimination of all but nominal European element from the Indian Civil Service, which would be very undesirable.

32328 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend ?-It seems to me of doubtful utility to frame any proposals for fixing a proportion of the vacancies in the Indian Civil Service Cadre to be filled by "Natives of India," unless it is deemed practicable at the present stage to throw the highest administrative posts open to them. Otherwise, the result will naturally be greater dissatisfaction and agitation. The advantage or disadvantage of belonging to a particular Service does not lie so much in being admitted to it as on the subsequent career of the officer entering it. Judging from that point, I do not think the lot of Indians recruited in India would be particularly encouraging, as under any scheme of separate examination based on racial distinctions, the officers recruited in India will tend to form a lower class in the Indian Civil Service. Besides, I doubt if the Indians recruited in India, instead officer, would not lower the status of the European officer, would not lower the status of the England-recruited Indian. Whatever reforms

may be recommended, however the proportion of Indians and Europeans be fixed, whether a simultaneous Civil Service Examination or a separate examination be advocated, there will be greater discontentment, unless a propor-tionate number of high administrative posts are always filled by Indians. Instead of having to face in a few years, the contingency of discontentment increasing among the India-recruited members of the Indian Civil Service, on account of the highest administrative appointments in the Service not falling to their lot, and of dissatisfaction appearing among the England-recruited Indians in the Service on account of the creation of two racial divisions, I would leave the present Indian Civil Service alone. While trying to open the doors of the Service wider, I am afraid that we might destroy the csprif de corps of the Service. The few Indian members thereof, who are at present regarded by their colleagues almost as Englishmen, will not be treated socially as their equals, directly the Indian element increases. Rather than face these grave contingencies, I would have an entire separate corps d' dite service for Indians, if that be possible. In case, however, it is deemed expedient to fill a fixed proportion of the vacancies in the Indian Civil Service by holding a simultaneous or separate examina-tion in India, my recommendations are as follows :- There should be only one examination for the whole of India at Delhi, and it should as far as possible be of the same standard as that in England. We want none, but the very best of Indian intellect, so that it may not suffer in comparison with that recruited in Bagland. The proportion I recommend is one-fourth. My reasons are as follows:—(i) So long ago as in 1878, Lord Lytton's Government prescribed that proportion not exceeding one-fifth of the total number of Civilians appointed by the Secretary of State to the Civil Service in one year should be Natives selected in India by the Local Governments (vide paragraph 42 of the Public Service Commission Report (1855-86) ). proportion was over and above the number of Indians that could get in through competition at the annual Indian Civil Service Examination at the annual minimum over the annual of the held in England. (The proportion of the latter is at present 15th in Bumbay.) (ii) Since 1885-96, when the Public Services Commission transferred a certain number of listed porte to the newly created Provincial Civil Service, education has made great strides in India. Eventhecomparatively backward Muhammadan community is annually turning out graduates in good numbers. (iii) Government in 1909 appointed Indians as executive members of the Provincial Governments in proportion of one to three. I wish to recommend the adoption of the same standard, viz., that for every three Europeans in the Indian Civil Service the fourth should be an Indian. proportion being voluntarily adopted Government in the very highest appointments open to the Indian Civil Service and recogopen to the innea out of service and resp-nised as fair a generation ago, may now be applied to all appointments, either reserved for the Indian Civil Service, or to which members of that Service are ordinarily

Mr. S. M. BHARUCHA. 11th March 1913.7

Continued.

appointed. Under any alternative scheme for opening the doors of the Indian Civil Service both Indian and European successful water, from instance and instance and dates of the year should be listed together in one list. Their promotion, acting or substantive, should be by seniority except in case of inefficiency, and they should be graded together in the official precedence list.

32329 (10). If you do not approve of simul-taneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nominetion and examination, or (c) any other method? If so, please describe fully what system you would recommend. In particular do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?— Satisfactory recruit-ment of efficient Indians by nomination pure and simple is impossible. Government can have no experience of men so selected, whose character and status it would be impracticable to accurately gauge. If appointments depend-ing in a greater or less degree on patronage are made, it would be like reviving the Statutory Service, which has been universally condemned by Indians and Europeans alike. At the same time, it is desirable that all classes and communities should be represented. The principle could be given effect to in this wise, if a separate examination is introduced. Suppose in a given year 100 vacaucies in the Indian Civil Service are to be filled up. For 75 vacancies, a competitive examination will be held in London, open to all subjects of His Majesty without distinction of race, colour or creed. For filling up the remaining 25 vacancies an examination equally stiff may be held at Delhi shout the same time. From the list of successful candidates, the first 25 men should be selected, whatever community they may belong to, if five Muhammadan candidates happen to come within the first twenty-five.

If they fail to do so, then the first five
Muhammadans should be listed as having passed with the other twenty top candidates. will not be a system of selection, which the Public Service Commission said was "open to the abuses incidental to patronage," but will be a competitive examination among Muhammadans inter se. An alternative proposal would be to hold a separate examination for Muhammadans every third or fourth year. Except the large and compact Muhammadan community, which is comparatively backward in education, in Indiaother minority deserves special consideration

92330 bes, for the five first proper of the first first process of the first first process of the Indian Girll you could be "Natives of India" in India, do will be elighter that "Natives of India" in India, do word you "Nilbe for appointment in England, or one subject, strict that right to other natural India should be of Its Majesty?—Natives of in England, as you shaw so will be for appointment in England is a yet two or three years' residence and standard color to the second process. in England, "a ) a swarp engune ior appronument in England is 34, a two or three years residence tone and stands, od for them for acquiring that becoming swarp of for them for acquiring that becoming swarp and summistances. I would England, offer Indiana passing two years in separate can pussing the simultaneous or instant in India, if one is

introduced. The 25 per cent. limit for Indians recommended above is for the combined Indian

strength recruited in England and in India. 39831 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?— The system of selection in India (whether a simultaneous or separate examination is held or whether a corps d'élite for Indians alone is formed) should be in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. At present no member of the Provincial Civil Service is holding "superior" listed posts in this Presidency. The claims listed posts in this Presidency. of those who have been appointed direct under the Provincial Civil Service rules can be met by transferring them either to the new corps d'élite service for Indians (if one is created), or to the Indian Civil Service, when they get promoted to the listed appointments. There being only three such appointments thrown open to the Provincial Civil Service in the Executive branch, it would not make much difference. difference. Direct recruitment to the Pro-vincial Civil Service should be put a stop to from the date that a separate competitive examination for Indians is held at Delhi, if one is so held.

32332 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?-The system should not be

revived. 32333 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service, and (b) to the public interested in this question : and what advantages, if any, does this arrangement possess?-The system by which the inferior listed posts are merged in the Provincial Civil Service does not give satisfaction to the members of the Provincial Civil Service, because there is nothing to distinguish the holder of such a listed post from the bolder of a Deputy Collector's appointment belonging to the old uncovenanted subordinate service. Salary, Salary, designation, conditions of leave and pension are identical in both cases. Even, the public interested in the question have forgotten that any listed posts are merged in the Provincial Civil Service. The man who passed the first competitive examination in 1897 is being asked, after putting in 15 years' service, by intelligent people as to when he is likely to be promoted to an Assistant Collector's post (i. e., to the very inferior listed post which he is supposed to have held ever since he entered the Provincial Civil Service).

32334 (104). Turning now to the case of the

Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you vinced Civil Dervices and an approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Officers who have not Mr. S. M. BHARDCHA.

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the benefit of texining at Bagdieh universities, and who have not to keep their children for education in Bagdand, should get less salary than those who have to incur this additional expenditure. But, the latter are getting exchange compansation allowance. It is therefore desirable that, in view of the rise in standard of contient of Indian offices, and in view of the statutory and provincial officears holding fisted posts having to keep up their position and to entertain as Collectors, they should be allowed to draw three-fourths of the bydrawn in the same post by members at the Indian Civil Service. The principle heer recommended is adopted in the exheme described in my answer to question (4) of the graetions relating to the Provincial Givil

29385 (128). Do you approve of the present system regulating the positions of officers of the Provincial Givil Services helding listed posts? If not, what do you suggest?—Under the Uncovenanted Service Person Rales, no officer may draw more than Rs. 5,000 pension per annum. An officer of the Provincial Givil Service, holding a listed post in Bensbay, would be drawing Rs. 1,600 as Senjor Collector when retiring on person. His pension will work out to fix. 416 per month, heigh glamost one-fourth of the salary he would be drawing at the end of his service. Even, under the Uncovenanted Service Pension Rules, the rate of pension is half of the average salary of lest three years in the service, subject to the maximum of Rs. 5,000. I recommend that the pension of the officer of the Provincial Givil Service holding a listed post may fairly be fixed at one-third of the average salary drawn by him during the last three years of his service, subject to a maximum of Rs. 700 per month.

(186). Are you satisfied with the 32336 existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—My previous answers present will have shown that though the system of recruitment is not quite suitable for the admission of the "Natives of India" in due preportion, satisfactory results will not be obtained by instituting simultaneous or separate examinations in India. I have given the reasons fully in answer to questions (7) and (9) above. I am not satisfied with the existing organisation of the Indian Civil Service, so far as the Indian element thereof is concerned. The element is much too small and yet, under the present circumstances, one does not see how it could be increased without creating invidious distinctions, and upper and lower divisions in the Service. At the same time, the time is ripe for giving a greater share in the administration of the country to efficient, indigenous talent, as the field for its employment outside Government service in this country of few industries is very limited. I am in favour of an entirely separate organisation for Indians wherein within due limits the highest administrative post can be given to Indians. I would rather have an entire separate corps d'élète service for Indians,

recruited by holding a separate examination in each province, and leave the present Indian Civil Service alone, if means could be found to "reserve" for and not to "throw open" a fixed number of high posts to Indians of undoubted merit and intelligence. The Public Service Commission of 1886-57 enunciated and recommended this principle, but fell short in giving practical effect to it, as I have shown in my answer to question (4') of the questions relating to the Provincial Civil Service. For one thing, they merged the l'rovincial Civil Service with the old uncovenanted service, and stamped it with the stamp of inferiority. For another, they reintroduced in the Provincial Civil Service the principle of direct nomination, after emphatically condemning it in case Statutory Service. If these two of the unsatisfactory features were eliminated and an entirely new high service for Indians were organised, I think it will be a better solution of the problem than a simultaneous or a separate examination for the Indian Civil Service, if in practice the Indian members of that Service cannot fill high administrative posts. It may be said, that I am trying to set hack the clock by advocating the substitution of the Provincial Civil Service in place of the simultaneous examination. I may say at once that the present Provincial Service is a "service" in name, and that it is practically the old uncovenanted subordinate service. It is a service in which even the Statutory Civilians declined to join. I want a selfcontained, organised service, with salary and leave and pension rules almost similar to those of the present Indian Civil Service, but officered entirely by Indians. I say "almost similar" advisedly, because it is not fair that an Indian who has passed an examination in India should draw the same salary as one who has spent a thousand pounds or two to proceed to England to do so. As to Europeans drawing the higher scale of pay, it is more on account of their having compulsorily to send their children home for education and frequently to send away their wives for a change, that the higher scale is justified. I consider that this higher scale both for Europeans and for England-recruited Indians should not exceed the salary drawn by the Indians in the new Indian Civil Service by more than 25 per cent. I shall not open this new Indian Civil Service to any but the best intellect of the country to that it may not suffer in comparison with the European Civil Service. I would pulsusly guard it from direct nomination, in the same way as the present Indian Civil Service has been guarded, though I would make provision for safe-guarding the interests of the Muhammadau community. I give the details in my answer to question (46) of the questions relating to the Provincial Civil Service.

#### Written Answers relating to the Provincial Civil Service.

30337 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appoint-

Mr. S. M. BHARUCHA. 11th March 1913.7

Continued.

ments to these posts suitable? If not, what alterations do you suggest?—The existing anterations to you suggest?—The earsting arrangements are not satisfactory. The Public Services Commission recommended two appointments of Under-Secretaries, and three Collectors; posts (4th of twenty-eight Collectors, utde Appendix VII-B) to be transferred to the Tailor Collectors to the Demission of the Collectors and the Collectors to the Demission of the Collectors and the Collectors to the Demission of the Collectors and the Collectors to the Demission of the Collectors and the Collectors to the Demission of the Collectors and the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Collectors are the Collectors are the Collectors are the Collectors and the Collectors are the Collectors and the Collectors are the Col from the Indian Civil Service to the Provincial Civil Service. Government have till now thrown open only two Collectors' posts, which will be available when the Statutories now filling them (The Talukdari Settlement Officer's retire. (The Tainxaari Sessement Omeer's post is filled up by an officer of the Indian Giril Service for many years past.) These two appointments are the only "superior" posts in the Provincial Giril Service, as at present constituted. The alterations, I suggest, are given in my answer to question (46) of the questions relating to the Provincial Civil Service.

32338 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired quali-fications in the officers appointed? If not, what alterations do you recommend ?—Education is spreading and so much indigenous talent is available in India, that the existing rates of pay and grading are adequate to secure the desired qualifications in the officers appointed. But, promotion to higher grades is very slow. Officers are apt to lose heart on their promotion being very slow, and so tend to become inefficient in the end. To remedy this, the regrading of Deputy Collectors is necessary. If the scheme recommended in answer to question (46) below has no chance of acceptance, then I would recommend the substitution of the following grades for the cadre of Deputy Collectors :-

#### Rs. 1,000 800 700 600 500 400 500 Total. 12 18 19 99

My reasons for this regradation being necessary are as under:—The comparative statement of the gradation of Deputy Collectors, embodied in my answer to question (46) below, will show that out of 82 appointments, no less than 70, or 85 per cent., posts are distributed in the last three grades. That leaves only 12 appointments or 15 per cent. for the top three grades. I humbly submit that such disparity in the number of appointments between lower and higher grades is not to be seen in any depart-ment, including Excise, Salt, and Forest, leaving aside the Indian Civil Service. This old gradation suited the conditions, as long as the recruitment of the Provincial Civil Service was exclusively from among the elderly Mam-latdars and non-gazetted officers, who mostly retired by the time they reached the third or fourth grade. With twelve young men directly admitted into the service since 1897, the even flow of promotion is disturbed. If the system of direct nomination to the Provincial Civil Service is to go on, the result in 8 or 10 years Service is to go on, one resuse in our 10 years will be, that the twelve appointments in the first three grades will be filled up by young men, and there will be no promotion for the seventy officers (old and young) till one of seventy officers (old and young) till one of the bitself post. Bestimating that the number of officers admitted direct to the

Provincial Civil Service will be about onefourth of the total strength, and calculating that most of them would reach at least the third grade, before retiring on pension, I place 21 appointments in the first three grades in lieu of the present 12. This will give a chance to all to rise to at least the third grade, the place in Rs. 600 of those found inefficient among the officers nominated direct, being taken by deserving elderly Deputy Collectors promoted from the Mamlat. I also suggest promines from the Hallman. I also suggests the creation of a new grade of Rs. 1,000, as a similar grade exists in other Provincial Services (Salt and Customs) where work is not heavier or more responsible than in the Revenue Department. Besides, the creation of a thousand-rupee grade will be some compensation to those officers who are in every way fit to be appointed to listed posts, but for whom there is no vacancy owing to a very small number of such appointments being available for members of the Provincial Civil Service.

32339 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? not, what alteration do you recommend?— Officiating promotions should be made in the Provincial Civil Service. At present, if the top man on Rs. 800 goes on leave, not a single member of the Provincial Civil Service gets officiating promotion. Only the Mamlatdar benefits by acting as Deputy Collector. There is no reason why every top man in the lower grade should not come in for officiating promotion in a service, where chances of substantive promotion are not too many.

32340 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—In order to get a clear idea of the existing organisation of the Provincial Civil Service, it is necessary to examine how this service came into being It is supposed by some that this service is a new service, created by the Public Service Com-mission in 1885-86, to satisfy "the claims of the Natives of India to higher and more extensive employment in the public service." But that is not so. Long before the appointment of the Public Service Commission existed the uncovenanted" service of Deputy Collectors, consisting in the Bombay Province of about 75 appointments, of six grades, from Rs. 300 to Rs. 800 per mensem. The Commission was asked to make proposals for "admission of competent Natives of each Province of India. to a due proportion of the posts heretofore reserved for the Covenanted Civil Service," As there already existed Native Deputy Collectors up to Rs. 800 pay, what was wanted Concerts up to 18. oo pay, mast was wanted was to make proposals for appointing Indians to "superior" posts, carrying a salary of over Rs. 1,000 per mensem. The number of such is upon the superior "posts in Bombay is 84 foid, question [72] relaint to the Indian Civil Service and Lisis B of Appendix VIII. According to Lord Lytton's proportion of §th. it was hoped that 17 "superior" posts will be given to Indians. Instead of this only six "superior" posts were Mr. S. M. BHARUCHA.

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thrown open (mide A & Appendix). Out of the six, only two Collectors' posts were thrown open in the Excentive branch, and ware put at the top of the old uncorrenanced service, and this old service was christened as "Porticala Civil Service." The reform was neither far-reaching one the scheme satisfactory to those in whose interests it was formatisted. During the sixteen years of the existence of the Porticala Civil Service, and the service of the provincial Civil Service, to benefit has accused to its members, which tid not use to be derived by the old Deputy Collectors. Throwing open eight inferior listed posts could not be said to satisfy the appriations of I duffass to

hight appointments, because they had already 75 such appointments in the caire of Deputy Collectors in Bonbay alone. The number of Deputy Collectors would have by itself interested by a similar number, as three new districts (trivities, West Khindesh and Nawibshib) were formed since 1897, and two Deputy Collectors appointments (one for the district sub-division and one for the Tersarry) would have to be added to the existing caire for each new district. Practically then the Provincial Civil Service is the old uncorrenated subordinate service of Deputy Collectors as will appear from the statement grown before:

Comparative statement of the Executive Branch of the Provincial Civil Service as it stood in 1912-18.

GS to SMOW IN 1812-10.																
Grade.	No. of officers in the grade.	No. administed direct		No. promoted	Men who Men who Men who		AGE OF OFFICERS.			[	Rechal classification,					
		By competitive examination.	By solection or nomination.	Mémist or other non- gazetted appoint- ments,	6	20 or over 20 years' service.	Under 40,	Between 40 and 50.	Over 60.	Hindur.	Par-19.	Muhammadans,	Angle-Indians.	Vacant.	Total.	
Pa. 800	(One racant.)			. 1		1			1	59	8	10	10	4	62	
, 700 , 600 , 500	3 7 23	 2 1	 <sub>3</sub>	3 5 18	 3 6	3 4 16	9	 1 5	3 4 13			:				
,, 400	(One vacant.) 28 (One vacant.)		4	18	7	15	5	8	9							
,, 300	(One vacant.)		2	21	6	17	6	13	1						ĺ	
TOTAL	89 (Four mount.)	8	9	66	99	56	17	27	84	50	8	10	10	4	67	

It will be seen from the above statement, that out of 82 Deputy Collectors' posts, only 3 are at present filled by men admitted after holding competitive examinations. In 9 cases, officers were nominated direct, while the rest of the 66 posts were filled by giving promotions to deserving Mimlatchias and officers holding non-gazetted appointments. The statement non-gazetted appointments. reveals other interesting features. 28 per cent. of the officers are men with less han 20 years' service at their credit, the rest being men fast approaching their pension time. The number of officers under the age of 40 is only one-fifth, being 17, while no less than 34 officers, i.e., 45 per cent. of the total strength, is verging on superannution, being over 50 years of age. This will show that the newly created Provincial Civil Service is, after 16 years' working, still practically the old Uncovenanted Service, recruited for the most part from the grades of Mamlat. The service from being a self-contained service of old experienced officers, promoted to the rank of Deputy Collectors for good service, has now become a mixture of old and young men. Men on the verge of retirement are in the same grade with those who have just crossed the threshold of their official career. There is no esprit de corps and little mutual sympathy, and there is discontentment in all grades. The new organization has made the old officers dissatisfied with conditions of service, which formerly seemed to them eminently satisfactory,

as they do not like to see young men being promoted to grades which they cannot hope to reach. On the other hand, young officers appointed direct, consider the old men as something of a different species, men who have risen from graduate clerkships, and who by getting extensions, create a block to their own rise in the service. The alterations and reforms I would suggest are as under :- If it is decided to adopt any alternative scheme [vide answers to questions (0) and (10) relating to the Indian Civil Service | for recruiting a fixed proportion in the Indian Civil S-rvice Cadre, by holding a simultaneous or separate competitive examination at Della, then I would suggest -(a) that recruting for the Provincial Civil Service by any other means except by way of promotion from the grades of Mimlatdirs or non-gazetted officers, should be stopped, and (b) that the list d appoint in inte reserved for the Provincial Civil Service, be gradually withdrawn, as officers appointed direct to the Provincial Civil Service come to hold "superior" listed appointments or retire, or (c) that the grades of the Provincial Civil Service be revised as answered in quistion (21) of the questions relating to the Provincial Civil Service, if recruitment by nomination continues. But in case it is not deemed expedient to hold a separate expe the whole of India, then my proposal is to create a separate self-contained Civil Services for Indians by holding a competitive examina11th March 1918.

tion in each Province. I would call it the "Indian Civil Service for India," and rename "Indian Civil Service for Linus," and Tenadie the present Indian Civil Service as "European Civil Service for India," the England-recruited Indians being considered almost denationalised on having adopted European tastes and manners, after their long residence in that country. I would grade it as under :-

Number of posts,	Designation.	Salary.
1	One Junior Secretary (with a view to his qualifying for Indian Membership of	Ra 2,000
8	Council). Two Senior Collectors	1,800
- 8	Two Janior Collectors and Director of Agriculture or Tálakdári Scitlement Officer.	1,800
. 8	Four 1st Assistant Collectors and one	900
- 8 9 6	Under-Secretary, Eight 2nd Assistant Collectors Nine 8rd Assistant Collectors Protationers in training in England or	700 500 800
34	in India.	-

My reasons for the gradation of the new Indian Civil Service are as follows:- List B Judgma Cavil Service are as loades: "Inset by of Appendix VII shows that there are 84-"superior" posts, including 28 Collectors' appointments, in the Bombay Province. The appointments, in the Bombay Province. The Public Service Commission of 1886-87 had proposed that the two appointments of Under Secretaries and three posts of Collectors (the Commission had recommended one-tenth of the headships of districts to be thrown open), in all five "superior" posts should be amal-gamated with the Provincial Civil Service. Government have not yet thrown open the third Collector's post, nor have they smalgamated the Under Secretaries' appointments with the Provincial Civil Service. Instead, they have added the post of the Talukdari Settlement Officer to this list. In view of the facts, that education has made great strides of late, and that the Provincial Civil Service as at present constituted has failed to satisfy the legitimate aspirations of Indians to have a share in the bigher administration of their country, I would add two more "superior" posts, and bring the total to seven. This will be for the Executive Branch only. If ten "superior" posts are given to the Judicial Branch, the total will come to 17. So long ago as in 1878, Lord Lytton's Government had prescribed one-fifth as the proportion of Indians, that could be safely appointed in India, by the Local Governments to listed posts. Though the Indian public is looking forward to a large proportion as their due, I consider that a good, strong leaven of Englishmen is essential, and, therefore, the propor-tion, I prescribe, will do for at least a generation. Whatever irresponsible people and publicists may say, I am of opinion that reserving one-fifth of the "superior" posts to Indians of merit, will spread general antistaction, if it is rendered obligatory that such posts should be always filled by Indians

way in which it was done. The Public Service Commission gave us what we did not want, vis., the eight "inferior" listed posts. We had fully 75 such posts in our uncove-nanted service. The Indians wanted additional facilities for serving their country, as "offices open to them in the uncovenanted service, had not proved a sufficient inducement for going men of proved ment and sbillity, to come forward" (vide G. R. of India, dated 24th December 1897, quoted in paragraph 43 of the Public Service Commissions' Report). There were fully 2,600 Indians employed in the uncovenanted service in India in 1886-87. They wanted (a) sufficient opportunity for showing their capacity in the higher executive administration, and (b) "social equality with covenanted officers when they come to occupy similar offices." The merging with Deputy Collectors, of inferior listed posts, had the contrary effect, as it was impossible to distinguish the holder of a listed inferior post from that of an uncovenanted Deputy Collector, all distinction being obliterated. The Public Service Commission of 1886-87, while condemning the statutory service, created a greater anomaly, by merging the "listed" posts with the old uncovenanted service, posts with the old uncovenanted service, recruited (always before 1896-97, and principally even now), from the subordinate service. But that is not all. The Bombay Presidency is the only Province in India where 19f Maniatdars are graded in the Provincial Service (vide Appendix B). The Public Service Commission had said, that the line of division between the Provincial and subordinate services is one of importance and that it should be drawn between Deputy Collectors on one hand, and Mamlatdars or Mukhtiar-kars on the other, as "a cardinal difference exists between the ordinary duties which exists between the ordinary duties which appertain to officers belonging to these two classes" (vide paragraph 81). Even if a smaller number of "superior" appointments be thrown open to the Executive Branch than that recommended above, the principal point is to remove the stigma attached to the present Provincial Civil Service, which can be done by creating a new high service for Indians, and by separating it from the old uncovenanted service of Deputy Collectors and Mamlatdars. This could be done by adopting my scheme. The 27 posts of Assistant Collectors mentioned therein could be easily filled up by separating them from the 82 Deputy Collectors' appointments. If one examined the sort of work the Deputy Collectors are doing, he would see the justice of my proposal of removing the 27 (more or less) sub-divisional appointments from the cadre of Deputy Collectors. The Deputy Collectors' appointments are roughly made up as follows:—28 sub-divisions, 24 Treasuries, and the rest, Daftardars, Native Assistants to Commissioners, City Magistrates, etc. It will be seen from my comparative statement given above, that out of 66 officers who have been promoted from non-gazetted appointment, quite 61 are over 40 years of age Few Indians after reaching that age can be said of morit. The discontent, I am ariad, is due to possess that bodily scivity, vitality and not so much to a few "listed" appointments, energy for riding, which are a size quid non for more or less, being amalgamated, as to the executive, administrative appointments. These

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Mr. S. M. Bharucha,

Continued.

experienced officers are best fitted for holding sedentary appointments, like Treasury charges, City Magistrates' posts, and Collectors' and Commissioners' Personal Assistants' appointments, in which capacity their ripe experience can be of advantage both to the State and to the public. I would therefore reduce the strength of the Uncovenanted Deputy Collectors by 27, and merge these posts (with proportional increase in pay) in the four grades of Assistant Collectors, proposed for my new "Indian Civil Service". The scheme does not pretend to go into further details which could be worked out easily, if the principle is recognised of giving self-respecting young men of merit an opportunity of rising independently to posts of honour and responsibility in their own separate cadre. This can be done only by separating them from the old, uncovenanted service which, as we saw above, will have to be always principally recruited from the subordinate grades, unless the doors of promotion thing grates and non-gazetted officers of merit, are to be closed. In my humble opinion, it is useless to dangle before the eyes of these deserving but almost superannuated officers, two posts of Collectors, which they can never hope to fill, when, as a matter of fact, the majority of them have to go on pension by the time they reach the third grade of Deputy Collectors. I would regrade the remaining 55 posts of Deputy Collectors as under:-700 Total, Rs. 800 600 100

Under my new scheme, the backward class of Muhammadans will have no reason to complain. The competitive examination may be held every, or every alternate, year and be open to every, or every attendance, year and copen as all Indian subjects of His Majesty the King-Emperor. Supposing, that the recruiting strength comes to 1½ or 2 persons every year, then, if no Muhammadan candidate is successful for three successive examinations the fourth examination would be purely for Muhammadan candidates. In this way, the interests of this important community will be duly safeguarded. I would not revert to the system of selection or nomination. However conscientiously the selection may be made, the public would always be dissatisfied with the result. Instead of placing high officers in the awkward predi-cament of selecting the hest candidate from bundreds of untried young applicants, would it not be ketter to have only one door of open competition for admission to this corps d'élite

service for the Indian community? The Public Service Commission of 1586-87 emphatically condemned the system of selection and abolished the Statutory Service for that reason, saying in paragraphs 71 and 72 of their report that "a system of selection is open to the abuses incidental to patronage". I do not think that the reversion to the same system in recruiting for the Provincial Civil Service bas met with public approval. Competition, though not an ideal system, is after all the best means available for accurately gauging a candidate's qualifications, as few crammers could find their way in a well-thought-out examination course and no man can hope to come to the top in a stiff examination, unless he has formed his character sufficiently, by using diligence, selfcontrol and patience in course of his studies. If the scheme I advocate is approved there is a nucleus for forming the new "Indian Civil Service" at once. Out of 17 officers of the Provincial Civil Service, who are under 40 years of age (which number includes the 12 officers who have entered the service by competition and selection) as many as are fit and efficient may be distributed in the grades of Assistant Collectors according to fitness and seniority. As superannuated Deputy Collectors retire, the remaining posts may be transferred gradually to the new "Indian Civil Service," which should thenceforward be filled up by open competition. I would send the probaopen compension. I would send the proper tioners to England for a two-year's training at a residential University, their pay during the probationary period being considered as scholaship. The elderly Deputy Collectors who will remain in their original "uncovenanted" list will not have to suffer but will also benefit by this change, because the higher grades up to Rs. 800 will remain to them alone for promo-tion. By the younger blood being separately provided for, there will be an even flow of promotion in both cadres. I have calculated the cost of this scheme. The extra monthly cost of regrading 27 Deputy Collectors as Assistant Collectors will be Rs. 2,900. against this, there will be a set-off of Rs. 3,400 every month, being the difference in the salary of the members of the European and Indian Civil Service in the seven "superior" appointments recommended to be reserved for Indian officers. The scheme, besides satisfying a large section of intelligent public, and allaying discontentment in a useful body of public servants, will result in an annual saving of Rs. 6,000 to the Government of Bombay,

## Mr. S. M. BHARUCHA, called and examined.

32341. (Chairman.) You are a District Deputy Collector ?-Yes.

32342. You do not consider the present system of recruitment equally suitable for the admission of Indians and Europeans?—No, not equally suitable.

You think that the time has arrived 32343. when further facilities should be granted for the admission of Indians?—Yes.

32344. You have discussed three different methods of providing Indians with employment H 495-91

in the Service. First you suggest a simultaneous examination ?-Yes.

32345. Secondly, a separate examination for a proportion of the vacancies for Indians?-Yes

32346. And thirdly, the establishment of a separate Indian Civil Service recruited in India and working alongside the Civil Service recruit-ed in England?—Yes.

32347. You discuss these three, but I gather that you do not advocate some of

Continued.

them ?-I do not advocate the first or the

second Your objection to a simultaneous examination is that an undue proportion of Indians might find a way into the Service? At first appearing in the examination and later on finding their way into the Service. A large number will be attracted to the examination, but they may not find their way so soon

into the Service. 32349. Do you think that will be a bad thing ?-If a very large number is attracted and a very small percentage finds room in the Service there will be naturally dissatisfaction, and moreover perhaps the educational system of the country will suffer. They will be deviated from other channels of employment.

32830. You have your objection to a separate examination on the ground that it would be useless unless the higher posts of the administration were thrown open to Indians after . they had entered the Service ?-They are open already. I said unless it was deemed

practicable.

You rather suggest that the way 82351. is not open. Is not that the ground for your objection to this form of examination ?- The main ground is that the holding of a separate examination in India will tend to form a lower class in the Indian Civil Service; there will be the tendency to form two divisions, an upper and a lower.

32352. You say, there will be discontent unless a number of high administrative posts is always filled by Indians; but assuming that, after entering the Service through an examina-tion in India, Indians found that the various grades of posts were open to them, would you still hold the same objection to that form of examination?-1 would still have that objection if in practice it comes to having two or three different divisions in the Service itself, namely, a European division recruited in England and an Indian division recruited in India. That will be, I am afraid, the consequence of holding a separate examination in India.

32353. So that really the scheme you would like to see is the third that you discuss, which is an entirely separate examination for a separate Service for Indians?-Yes. You may call it radical reorganisation or reformation of the present Provincial Civil Service, or you may call it a separate creation of an Indian Civil

Service for Indians.

32354. Do you think that by having two Services such as you suggest you would be likely to avoid the difficulties which you have just mentioned?- It will be an entirely separate Service

32355. But, I suppose the officers in those two Services would be doing the same kind of work as they are doing now ?-Yes.

32366. So that, although the name of the Services might be different, in practice it they would be the same?—In practice it would be the same, but it would be a Service a little lower in status than the Indian Civil

Service 32357. And you think that that would give rise to less discontent and dissatisfaction than to have Europeans and Indians recruited to the same Service ?-I do not mean to say

that. What I mean is that by having this separate Service the present Indian element in the Indian Civil Service, which is now on terms of absolute equality with European members of the Service, will continue without any change, while if the doors of the Indian Civil Service are opened wider by holding a separate examination in India even the Indians recruited in England would suffer socially and in other ways. The present perfect equality and uniformity that we see will disappear when the Indian element increases in the

32358. I gather from what you say that ou think there is bound to be inferiority? There will be inferiority. We have to take the situation as it is.

32359. But is there any sense of inferiority new amongst Indians in the Indian Civil Service ?-No, not at present, because the Indian element is not large.

32360. If that element were to be increased, even though, it might be through a stiff examination of a similar standard to the one in England, you think that a sense of inferiority would increase correspondingly ?-It would,

32261. I do not quite understand why that should take place?—The Service at present is mostly made up of European members who form the body thereof. The Indian element is only four or five per cent. It is practically, you might say, a European Civil Service. You might call it the Indian Civil Service, but I call it the European Civil Service for India. Directly the Indian element increases I am afraid there will be two divisions in the Service itself.

32362. If that were to take place in a single Service, would not the difficulty present itself in an even more accentuated form if you had two Services manned by officers who were all going to perform the same kind of work ?-It senot a question of dividing the Indian Civil Service into two Services; it is a question of leaving the Indian Civil Service to itself and having a separate high Service for Indians, a little lower in status than the present Indians, is Civil Service. You might call it a radical reformation of the present Provincial Civil Service.

32368. Under your scheme, would you allow the Indian to enter through the London door the same as now ?-Yes, I have said that, In fact it is to safeguard the interests of the Indians entering through the London door that I do not want the Indian door to be open. It is much better that Indians should go to England in large numbers if possible and come through the door there than that they should enter through the door here.

32364. Do not you think that the Indian in this new service of yours would look with a good deal of disastisfaction upon the Indian in the Civil Service who got through the English door?—He should not.

32365. Do not you think he would?—He has no right to, and I do not think he would. I passed through a competitive test in India for the Provincial Service, which was a stiff competitive examination following on a very stiff University test, and I do not consider

Mr. S. M. Bhardoha.

continued.

myself in any way badly treated as compared with the man who has entered the Indian

with the man who has entered the Indian Civil Service.

32306. Do not you think that, apart from the discontent which might arise under this scheme of yours, there might be difficultied in the way of the amount rouning and general co-ordination of the administration, owing to there being two very distinct and separate Services both performing the same work?—At present, the Provincial Givil Service is performing almost the same work as the Indian Givil Service is performed and service. I have been working as an Assistant Collector for lifteen years, doing exactly the same work.

28-37. Your proposal is to sholish the Provincial Civil Service is in not 2-10to sholish it. I say, leave the Provincial Civil Service, or is in not 2-10to sholish it. I say, leave the Provincial Civil Service, constaining any of the Universal should be service, constaining any of the Universal Service, and the same should be service, and the same should be service, and the same should be so that the same should be so the same should be so to during the last fifteen when the same should be same s

young men entirely.
32368. But you are going to take a part of
the present Provincial Service and place it into

this new one?-Yes.

32369. You dissect the Service?—Yes. At present, it does not work properly. 32370. So that what remains of the old

Provincial Civil Service, or the Uncorrenanted Service as you prefer to term it, is to consist of more or less older men who have been promoted up from inferior posts?—Yes, and that forms the majority just now in the Service.

82371. The higher posts of the Provincial Civil Service will be absorbed into the Civil

Service ?- Into the new Service.

32372. Do you think that your proposal will lead to harmony and general contentment?—The Services will be absolutely separate.

32373. But they will be all doing the same work?—They have been all doing the same work; we have to take the situation as we find it; it is useless to run after an impossible idea. 32374. Your scheme creates rather a new

opport. To scheme cleases rather a new situation?—It is ameliorating the conditions of the Provincial Service, making it much better than what it is at the present time.

32375. Would not the establishment of two smaller Services instead of one larger one mouloe even genetar stagnation of promotion than is now the case?—Under this scheme, the promotion will be much more rapid than it has been in the Provincial Service up to the present time.

32376 How do you work that out?—]

have worked it out on paper.

ange works in our open. Infestior peaks be 28377. Will not your infestior peaks be largely increased 7-by peaks of the strongth of 29 Depty Collectors in the strongth of 29 Depty Collectors in the Presidency proper and Stud, and out of these there are 27 special appointments occurs pounding to Assistant Collectors' posts. My idea is, as most of the gentlemen who rise from the Maminister do so at the age of 49, that it in not fair they abouil be called upon to do District and Sub-divisional work, which involves childing and all that sort of thing

requiring hard boilty exercise. It is much better that these gertlemen, with their ripe experience, should be asked to do other important work, namely fill the posts of Treasury Officers, Gity Magristrates, Personal Assistants to the Commissioner, and so on. Take away the Subdivisional appointments, which require proactional Assistant Gollectors' work, from the easier of the Deputy Collectors' grades, and on the top of that put a certain number of listed appointments taken from the Indian Civil Service, and make that into a self-contained separate Service with the pick of the University gradease of India.

22478. You desire to see Indians attaining 22478. You desire to see Indians attaining

32378. You desire to see Indians attaining to about one-sixth of the total number of posts?

—In all it will come to one-fourth including the Indian element in the Indian Civil Service. I want one-fifth of the appointments to be listed.

28379. But are they to be listed for the remainder of the Provincial Civil Service which you leave behind?—I have said that if you remove the Assistant Collectors or Subdivisional appointments from the Provincial Service then no listed appointments are to be left to the Provincial Service.

32380. Where are you going to get your liked posts from 2-Rrom the Inlian Civil Service. There are 58 superior appointments in the Inlian Givil Service, and my point is that you should give us one-fifth out of that as superior posts, and can of that one-fifth, namely 17 appointments, give us seven for the Exceutive, and lasers ten for the Judicial. Give us those seven superior appointments for the Exceutive, are more the 27 Deputy Collectors sub-divisional appointments from the Provincial Service and turn them into a greak of Assistant Collectors, so that, there will be a grainstain of third, second, and first Assistant Collector going from Re. 309 to Re. 1,000. 23381. It will man a good deal of re-

3.331. It will mean a good deal of rearrangement of the Service as it stands now?— There will be very little disturbance.

32332. You think it will make very little alteration?—Very little alteration practically. 32383. Do you see no difficulty in keeping

these watertight compartments as between Europeans and Indians?—There are watertight

compartments at present.

32334. You cannot say there is a water-tight compartment in the Indian Givil Service as present?—I am not going to stop the Indians from centering the Indian Givil Service; I should be very glad if the Indian clemant increased, but only through the London door. I should increase the number of scholarships if possible. There are many private trusts and chardics sending popule to England.
22385. (Sir Marray Hauswick) I take it

that is the first place you are very discontented with the way the Provincial Civil Service was left by the last Commission?—Yes.

92586. Is not that one of your motives for

this scheme of yours?—Yes.

82387. Your discontent arises from the fact
that, first, the junior posts which were taken
from the Civil Service and placed in the Pro-

from the Civil Service and placed in the Provincial were not exemarked but merged into the Provincial Service and became ordinary Deputy Collectors' appointments?—Yes.

Continued. Mr. S. M. BHARUCHA. 11th March 1913.]

32388. And consequently, you see that the Provincial Service is very much handicapped by the fact that in Bombay the Mamlatdars are placed in the Provincial Service and by that means the door is more or less shut to young men who desire to get into the Provincial Service and make a mark there; that there must be, owing to the Mamlatdars being in the Provincial Civil Service, a great number of senior men in that Service, and in that way the young, energetic, more educated officer is inore or less handicapped?—Yes. 32389. Then you object to simultaneous

examination because you think it is not a good way of getting into the Indian Civil Service. which ought to be in your opinion a corps d'élite, manned by men regularly trained in

England?—Yes. 32390. In order to bring about a solution of all these difficulties you propose to earmark all these junior appointments which were merged in the Provincial Civil Service and to add some appointment at the top of the present listed appointments, and to make those appointments into a separate cadre altogether which shall be recruited by competitive examination in India, restricted to the Provinces, into which educated young Indians will go and find a career which will satisfy their legitimate desires?—Exactly; that is the middle course I have suggested.

32391. Then you would leave the Provincial Service to consist of men who were promoted from Mamlatdars, and you think you have in some way helped the efficiency of that service by taking away from it most of the sub-divisional work, leaving them the sedentary work which can be better held by

older men ?—Yes.

32392. But even if you take away these 28 appointments there will be still many subdivisional appointments left in the Provincial Service, will there not?—No, none whatever. There is generally only one sub-division given to a Deputy Collector and there are 27 or 28 Districts in the Bombay Presidency including

32393. How many sub-divisions are there in the Bombay Presidency ?-I do not know the exact number, but there are two Assistant

Collectors to one Deputy Collector. 32394. The main objection I think to your scheme, which is a very ingenious one, is of course, as the President said, instead of having two definite Services, as we have now, you make three, and it is rather an unnecessary complication to make three Services when you can do with two?--I do it because Indians are not satisfied with the lower service at all which will lapse to its subordinate position.

32395. And they want to get into the Indian Civil Service?—Yes.

32396. But supposing, we said, that the Provincial Service should be altered by making it begin at Rs. 300 or Rs. 400 a month at the bottom, and by raising the pay of the top appointment say to Rs. 1,000, thus excluding the Mirpletdian from it. e Mamlatdars from that service, and recruiting that service to a large extent by direct nomination or selection or direct competition; supposing we increase the listed appointments in the way you propose, but left them in the Civil Service, and allowed the Government

to nominate to the Indian Civil Service junior appointments men who were in the Provincial Service with whom they were satisfied, men who had given good evidence by four or five years' service that they were good officers; and supposing that the Government were allowed to place those men in the appointments of junior and senior Assistant Collectors and allowed them to go on, with a claim for any appointments that were vacant in the higher service, in exactly the same way as the Indian Civil Service men are, do not you think that would meet your difficulty in a much simpler way ?-I should like to be enlightened a little more about that. How is the man to enter the service, by competition in the Provincial Civil Service?

32397. Yes?-And rise in the Provincial

Service up to what and how?

Service up to what are now in the ordinary ocurse to Deputy Collectorships, which may have their pay raised to Rs. 1,000 instead of Rs. 900?—And the man is to be selected after

rising to the top?

32399. No, he would be selected after four or five years' service as a distinguished man. No seniority would count at all. As soon as the Government saw that the man was capable of doing the work of an Indian civilian, when a suitable vacancy occurred he would be transferred from the Provincial Service to the Indian Civil Service and be allowed to rise in the ordinary course of his career?-There may be gractical difficulties in the scheme being worked out later on.

32400. But it would be simpler than your arrangement. You would still have You would have improvement in the services. Provincial Civil Service, and you would have given a career which would meet the wants of most Indians, while the more brilliant Indians would have an opportunity of getting into the Indian Civil Service which they have not got now ?-You are leaving the poor Mamlatdars

32401. My view is that the Mamlatdars, just as the Tabsildars in other Presidencies. never ought to be in the Provincial Servicenever ought to be in such recently put into it as I understand?—Quite so. We will not quarrel about the name. They have every right to about the name. They have every right to become Deputy Collectors and they have all

32402. It might be a mistake that has been made. The Mamlatdar is a person who per-haps ought to have a claim by right to be a Deputy Collector, but he is an inferior servant. doing inferior work under a Deputy Collector

the years of work behind them.

who has to do work of a very distinct charac-ter. It may be possible that the proper course to take is to exclude the Mamiatdar from the Provincial Service and make the Deputy Collector the bottom of the Provincial Service, as it is in most Presidencies, to be directly recruited, with one vacancy in four to be given to promising Mamlatders, but as a rule to be recruited by direct nomination or competition or selection?-That comes to my scheme, except that under my scheme I have reserved the higher posts for the deserving

Mámlatdárs who have done very good work. 32403. But you make a small Service which is neither the Indian Civil Service nor

Mr. S. M. Bearucha.

continued.

the Provincial Civil Service, neither fish, flesh, fowl, nor good red herring, as they say in England. One serious objection to that I see is that you stop at the one Junior Sccretary at the top so that supposing there was not a fit person in this service to be given a Secretaryship, which might be the case, Government would be obliged to put an inferior officer into the post of Junior Secretary, or if the man was a very good Junior Secretary you would not allow him to be a Commissioner, which would be a serious drawback ?-There is the Indian Membership of Council for him if he is a very good member. scheme looks small because it relates only to the Executive Branch.

32404. But surely, he would be a better Member of Council if he had had two or three years' experience as a Commissioner ?- My scheme did not aspire to go into small details:

it is an idea.

32405. Do not you think that it would be an advantage if the scheme that I have suggested to you, that men would get into the Indian Civil Service after they had proved themselves efficient by experience, were adopted. These men who get into your service by examination may prove great failures just like the Statutory Service men did ?-If they do prove failures it is a service with five or six gradations, so that they could never aspire to

32406. But they would remain in the service and would always be an obstruction ?-

They will not be got rid of under your scheme.

32407. They might be very good for
Deputy Collectors but quite unfit to join the Civil Service, in which case they would not be put in ?—As I said just now, the work of a District Deputy Collector is identical almost with the work of an Assistant Collector

32408. He may be a good Deputy Collector but quite unfit to be a Collector?—Under my scheme he would not rise to be a Collector at

32409. But still, it would be proventing good men entering your service by his remaining as an Assistant Collector for all his time. which would not be a very satisfactory result. Of course, there are difficulties in every scheme, of course, there are dimensions in every science, but I think your scheme has a great many difficulties, and I imagine you think so yourself from the claborate way you have worked it out. I quite see that it has the advantage of being cheap, but I do not think that is at all what we are looking for ?—It is not a question of cheapness at all, but of having a self-contained service for Indians who wish to go into their own cadre.

32410. (Mr. Fisher.) You say that officiating promotion should be made in the Provin-cial Civil Service. Am I to infer from that that you are in favour of the system of officiating promotions in general, or that you think it unfair that these promotions should be given to the Civil Service and not given to the Provincial Service ?- I am in favour of officiating promotions generally.

32411. You think the system a good one?

—It is a good system. 32412. Can you explain to me why you

think the system is good ?- Because the promor 495-92

tions are sometimes very slow and it puts heart into a man; he knows that if he cannot be promoted at once substantively there may be some people going on long leave and he may get a chance of officiating

32418. Am I not right in saying that it often happens that a man under this system obtains a higher rate of pay even if he is not doing a higher type of work?—The man who is not fit for substantive promotions might be passed over even for officiating promotion; so that in that case he may not be getting more pay for less work. The pay is personal. The Rs. 800 Deputy Collector is doing the same work as the Rs. 900 Deputy Collector. It is a question purely of seniority, and there is no

a question pand of school of the system and wish to have it extended?—Yes;

officiating promotions are necessary.

(Mr. Sly.) In answer to question (9) you say that Lord Lytton's Government, in 1878, prescribed that a proportion not exceeding one-fifth of the total number of civilians appointed by the Secretary of State to the Civil Service should be Natives selected in India. That was one-fifth of the number recruited in England, was it not; that is to say for every five civilians recruited in England there should be one recruited in India?—Yes.

32416. In that way what was contemplated was not one-fifth of the total service but onesixth of the total service ?-It might come to

one-sixth.

32417. In answer to question (12) you have said that at present no member of the Provincial Service is holding superior listed posts in this Presidency. Surely, there are Provincial Service men holding superior posts?-Not one. The Provincial Civil Service began with me. as I was the first man who passed the competitive test in 1897.

32418. I understand there are two Judges ? I am talking only of the Executive Branch.

32419. Two superior listed posts at present are held by Statutory Civilians?—Yes, and they have declined to join the Provincial Civil Service.

32420. But the Judicial superior posts are held by Provincial Civil Service officers, are they not?—They are, and I have said that my answers are confined only to the Executive Branch.

I should like to have your opinion as to whether you think that this system of a certain limited number of listed posts really adds to the popularity of the Provincial Service, or is conducive to content in that service. It evidently is satisfactory to the man who is selected for that listed post?—Yes, it is satisfactory to him only. 32422. What is the result of that system

on the other members of the service who are not selected for it?—They may not be satisfied, but they aspire to the next vacancy. What we want is a larger number of posts, that is

32423. But no matter how large a number of posts may be granted as listed posts it would be very difficult for all the members of the Provincial Civil Service to get into those listed posts ?-All cannot get in, of course.

11th March 1913.]

Continued.

32424. Unless you have a very large numher?-Unless you adopt the scheme I have

suggested. 32425. Under the existing system of listed wate there is a small fraction of officers in the

Provincial Service who can secure promotion in each of those posts ?- That is so. 32426. Does the benefit that is derived by

the Provincial Civil Service from that system compensate for the amount of discontent that is caused in the Provincial Civil Service by the substantial number of officers who are passed over and not promoted to listed posts?-None have been passed over because there have been none appointed yet in this Presidency.

32427. But on the Judicial side of the service ?-- I do not know anything about the

Judicial.

82428. You cannot give us any opinion service or causes discounter?—I have emphatically said that it does not give satisfaction.

32429. I believe that a portion of your service was spent in Sind?—Yes, I was five

service was spens in that - res, I was are years in Sind, from 1903 to 1908. 32430. In what capacity did you serve in Sind?—I always served in the capacity of a subdivisional officer, doing Assistant Collector's

work for the past 15 years.
39481. In what district?—I have served in
the Thar and Parkar District, and the
Larkhana District, and also the Haidarahad

District for a short time

32432. But most of it was in the Thar and Parker District ?- Yes, about three years. 32433. Who was your Deputy Commis-sioner there?—Mr. McKensie when I went

there, but he has retired now. 32434. Did that officer have any knowledge

of the Sindi language?-Colloquially he might he said to be a Sindi scholar; he knew Sindi fluently. Was be capable of talking to the 82485.

Sind population without the sid of an inter-preter?—I have not seen any head of a dis-trict baving an interpreter while talking to the village people in the course of my 15 years' experience, except when he happened to come to a district the language of which he did not know at all, at the commencement

32436. Have you been present with Collectors whilst they were on tour in camp?-We have been camping together sometimes.

32437. Is it your experience that the Collector has no intercourse whatever with zemindars or other people of position during his touring in camp?—I should say he is hardly ever free from intercourse; he has hardly a moment to spare to himself when he is out in the district.

32458. Are the cultivators, the ryots and free access to the Collector whilst he is on tour?—Every evening there is a call for petitioners, when anybody and everybody can present a petition. A man who wants to see the Collector or Assistant Collector in private has only to send a word through a Pattawalla. has only to send a word through a lateracom-and he can do so; he may be kept waiting out-side a little if a case is going on or if the Col-lector is otherwise busy, or is taking his tiffin.

32439. During his morning rides in camp are the cultivators and people allowed freely to come to him and make any representations shey wish?—Yes. In fact he goes to see them, that is what his morning's ride is for. He

visits and inspects the village and sees the people and learns their grievances. 3240. As subdivisional officer, I suppose, you exercise magisterial powers?—Yes, I have been a First Class Magistrate for the last 13

vears.

32441. Can you tell us whether it is a fact that magistrates issue summonses without specifying any place where the accused or witness is to appear?—We, always here a pro-gram of tour fixed beforehand, and when the case is fixed, the Sherishtadar knows what date the camp will be at a certain place, and it is his business to fill in the place and the date.

32442. Can you tell us whether the place, is filled in or not ?-It is. I have not heard is filled in or not :—it is. I have not neard any complaints about the place not being filled in. As a matter of fact, the tour of a Sub-divisional Officer or Collector is not a thing about which any information is necessary at all; you can ask any bazaar boy and he will say the Sahib is in this village or that village.

say the Sainb is in this vinege or that vinege. 32443. The form of summons which is used has a blank space left for the using and the place?—Yes, the name and date.

2244. And your experience is that that place is always filled up?—It is always filled up. 32443. (Mr. Chaubal.) What was your University career ?-I was the only graduate in the first class honours of my year, 1895.

32446. Soon after you graduated the Pro-vincial Civil Service was formed?—Tes, the first competitive examination was held in 1866-7

32447. For how many years was the Provincial Civil Service recruited by competitive examination?-Only on three occasions.

32448. Three continuous years?—No, I think with a break of one year between each.

32449. What were the hopes which those who were recruited into the Provincial Civil Service in 1895 had?—Their hopes were to

rise to the Collector's post. 82450. When you entered the Provincial Civil Service were you aware that the listed posts of nine Assistant Collectorships were merged into the Provincial Civil Service ?-My idea was very hazy about that. I was only a boy and knew nothing about what the merging of the posts and what the listed posts were. I only knew I was going to be a Collector by and by.

32451. What do you mean exactly by "by-and-by"? Previous to that Deputy Collectors were not recruited at once from graduates ?- No.

32452. Either by competition or otherwise?-No.

32458. Did you expect that you would have to go and work your way from Rs. 300 to Rs. 400 and from Rs. 400 to Rs. 500 up to the topmost grade?—I knew I had to work in the topinosi grate. The will have a work in the same cadre for a number of years and prove my efficiency before I should be selected for a Collector's post, but I did not think I would have to work right up to the top, because

according to the scale the time for my pension would arrive before I reached Rs. 800 grade.

32454. You expected that if you showed good work in the Rs. 500 grade you would be selected for a superior listed post?—Yes, that is what the Government of India had said when they created the Provincial Civil Service.

32455. Do not you think that those intentions were prevented from being carried out by the older men who were given the listed posts?—Yes, there are two statutory gentle-

men filling those two posts.

32456. Therefore, it is not anybod fault?—I have not said it is anybody's fault. not anybody's

You were transferred to Sind 39157

from the Bombay Presidency?-Yes. 32458. Did you know Sindi?—I had to eass the Sindi examination in six months'

time. 32459. When you went there and took charge of your post as Deputy Collector you did not know Sindi?—No.

32460. You passed the Sindi examination afterwards?—Within a year at the outside.

32461. And during that time you were doing your usual routine work, which included going round the district ?-Yes, talking a little Hindustani when I could not understand the Sindi

32462. So that, you could pull along without knowing Sindi?—There was absolutely no difficulty except in talking with the poorest ruots, when there was a little difficulty in the

beginning.

32463. You found no difficulty when you have been your work as did not know Sindi in doing your work as Deputy Collector?—I had no appreciable difficulty; I will not say I had no difficulty whatsoever.

32464. In the same way, there would be no difficulty for a European Assistant Collector doing his work without knowing the Sindi language well?--Until one has passed the examination there is a little difficulty. There would not be any great difficulty, but perhaps for an Assistant Collector there might be a little more difficulty than for an Indian, though it would not be such as to stop him from doing his work or to make his work inefficient.

82455. Do you think that after passing the examination the officer is able to speak fluently with the ryots in their own language? It is not the passing of the examination but the daily contact into which he comes with

the village people.

32466. When the Assistant Collector is ont in the district has he any office work to do?-He has. He moves with his whole

How much of his time during the 32467. day is taken up by table-work?-About four solid hours' work,

32468. And how much of his time has he ordinarily to devote to Criminal work?— Ordinarily, about two hours a day on an

average.

32469. Four hours' table-work and two
hours' Criminal work?—You might put it at
five hours including everything, Revenue work,
Municipal work, Criminal work, and all sorts of table work.

32470. Those five hours are the usual office hours ?-Yes, between 12 and 5.

32471. What work is done outside this work?-Early in the morning at sunrise we go out riding and visit one or two or three villages according to the distance from our camp, and we ask the village officers to be present to meet us at several places, and we see the cultivation and check the registers, and go into the villages.

32472. What is exactly the direct intercourse with the ryots that you come across? out for field inspection we speak to him.

32473. When you go out for your ride in

the morning you go with the object of inspecting a village?—We go with the object of inspecting the cultivation as well as inspecting the village.

32474. Do you inspect the crops ?—Yes. 32475. And you have to make notes about your inspection ?—Yes.

32476. As to how many annas the crop is ?-Yes, the condition of the crop and all

that. 32477. That does not require much direct intercourse with the people, does it ?-That does not want much.

32478. What else is comprised in the morning work?-After finishing crop inspection we go to the village which is situated close by. Generally a notice is given by the Patel that the Sahib is coming and the people are already assembled on the Chowdi

32479, What is done there which brings you into direct intercourse with the people?— Generally by the besting of a drum the Patel informs the village that the Sahib is coming and all the village people who have anything to say gather at the Chowdi. After seeing the school or liquor shop you take a seat on the village charpoi and begin to talk to the people. Sometimes it takes one hour and sometimes half-an-hour and sometimes five minutes. It is a question of village and village and people and people.

32480. What sort of talk is it that you have with the people ?-The first talk is of course about the crops.

32481. That you have already done?—No. After making your own notes and recording your own experience and the state of the crops, you have a talk with the people about the crops and the land revenue they are to

32482. Do you correct your notes of inspection by any talk you have with the people?—Of course. The people will say that the crop is very poor and that they cannot pay the whole revenue this time, and so on, 32483. I want to have a clear idea because

we have not had it described to us exactly what the routine work is. Is the Patel asked to bring to the Choudi those people whose field you have inspected; are they specially called there ?-No.

32484. Then by talking with whom do you check your notes of inspection?—Our notes of inspection do not relate to separate fields but to the general nature of the crop of the whole village.

32485. Supposing, that by your personal inspection you have said it is a 10 or 12-anna crop, you talk generally with the people and if they say it is only an 8-anna crop you listen to that talk and check your notes accordingly?

-That is so. 32486. I suppose, while you are doing your table-work and correspondence work there is nobody except yourself and perhaps your Sherishtadar?—Yes, the Sherishtadar is called

when necessary.

32487. When you are going round in camp do you do criminal work at any definite time or do you take your own time?—It is gene-rally in the office hours, between 12 and 5, that we do the criminal work.

32488. But supposing a case is set down, does it not often happen that you take up a case at 4 o'clock in the afternoon or even at 5 o'clock ?-We have to wait for the parties if they do not appear, because it is a long march for them sometimes. The case may be set down at 12 o'clock and the parties may not be

there

32189. Does it never happen that even if the parties are there you are engaged in other important work, and therefore you let the criminal matter stand over for some time, until you have gone over your more important work ?-Yes, very often.

32490. It is also, I suppose, usual that a case which you take at 4 or 5 o'clock in the

evening is not finished ?-Yes.

32491. And then you move your camp to the other village?—We have to do so.

32492. And for the further progress of the case they have to appear there?-Yes, they have to follow.

32493. So that it is not untrue that on several occasions Pleaders and the parties have to move with the Assistant Collector from camp to camp?—On certain occasions they

32494. (Sir Theodore Morison.) I gather from the answers you have just given to Mr. Chaubal that you have a very full day?—

A very full life.

32495. Do you get very many opportunities amidst this continuous strain of work and inspection, of mixing with the people, except in so far as your official duties go—I mean social intercourse?—In camp life there is very little society except that of your wife. 32496. We have been told that civilians do

one-not mix with the people, and I am rather anxious to know, after your ordence, when any oug et time to mix with the people except in an official way 7—Nobody invites me to breakfast there and I caunot invite anybody to breakfast with me. I do not quite understand what cost of universe and the contract of the people except in the contract of the what sort of mixing you mean

It has been brought to our notice several times that the Indian civilian does not mix with the people and I understand that he and you are all very busy with a good deal of work and that you have not very much time outside official hours to mrx with anybody?— We have no time to waste.

32498. Have you very much more time to spend in that way than the Indian Civil Service officer ?-I think we are equally hard worked.

32499. Have you observed amongst your contemporaries that education in England is a very particular advantage to an Indian Government servant?—I have never been to Rugland, but I know that after going to England our young men return with a lot of relief and the little of the lit polish and that it does good to a man; it broadens his views.

32500. You have found that on the whole residence of a year or two years in England is an advantage?—Yes, it would be a great

advantage.

32501. You do not say that on theoretical grounds, but from observation?—From direct observation.

32502. Would you mind repeating what districts of Sind you have served in?—Lár-kána, Thar and Párkar, where I was a Sub-divisional Officer, and in Karáchi where I was City Magistrate for some time. 32503. Are those the districts in which

Mr. Bhurgri, who has been one of our witnesses. was a resident?-Yes, he is one of the Zamindars there in one of the districts in which I

served.

(Mr. Joglekar.) You know that 32504.under the orders of the Government of India the present Provincial Civil Service is recruited eartly by nomination and partly by promotion

from Mamlatdars?—Yes.
32505. Do you also know that one list is kept of both these officers now?—Of course.

32506. Are you against the present system of keeping one list for direct recruits and for officers promoted from subordinate service ?-I am not against the present system, but I do not quite understand your question. The present system does not lead to any result; it leads to no advantage as far as the Provincial Civil Service is concerned.

32507. The Provincial Civil Service now consists of men promoted from the lower division, selected Mamlatdars?—Yes.

32508. And it also consists of men nominated with due regard to different classes of the community?—Yes.

32509. And both these officers are entered 32509. And note these owners are entered in one list. If your system of having a separate branch of the Provincial Civil Service is adopted the young men will be separately listed?—That is what I want I say the young men should not be mixed up with old men in the same grade.

32510. Under your scheme, there will be rapid promotion for young men and slow promotion for old men?—Not at all.

I calculate there will be 55 old 32511.

men?-Yes. 32512. And 27 young men?—Yes. 32513. If the young and old men are put

together in one list, do not you think the old men will also have a chance of promotion to posts of Rs. 2,000, as the case may be?—It is impossible for an old man ever to rise to Rs. 2,000 after becoming a Mainlatdar.

32514. I draw your attention to Rule 20 which says that promotion to Rs. 500 and upwards is to be given solely on fitness and merit, seniority being regarded only when the claims of candidates of equal fitness and merit Mr. S. M. BHARUCHA.

Continued.

come into competition. Therefore, places of Rs. 500 and upwards are to be given only to fit and competent men, without regard to age?-Not without regard to age.

92515. Seniority is to be considered only when there are two officers of equal merit?-I would refer you to the Government Resolution of 1892 when the Provincial Civil Service was created, and the Provincial Civil Service has been amended nearly half-a-dozen times during the last 15 years.

\$2516. I mean according to recent orders? I have not read the recent orders. I know that promotion to Rs. 500 and upwards is only by selection and that seniority does not count

32517. That is by merit and fitness?—Yes. 32518. So that if there is an old Mamlatdar of say 42 years and a young officer of 30 years, the young officer may be put over the old Mamlatdar if he is fit and competent ?-

32519. So that promotion to Rs. 500 and upwards is not given to old men as a matter of

right ?- No, by selection.

right :-- No, by selection.
32520. Some of these old men have a chance of rising to a listed post?-- The Government of India have said, no. They have said it will always be desirable to select persons for a higher Executive office from those who, while they have given proof of distinguished ability by efficient service, are still comparatively young and possess that hodily activity which is a sine quá non for such employment. It is useless to have a Collector who cannot

32521. Do you think an officer of 42 years is an old officer?-I am not talking of an officer of 42, but of a gentleman who has been a Mamlatdar and who wants to be a Collector, 32522. A Mémlatdár who is promoted to

a Deputy Collector may be 42 years old, may he not?—There may be exceptions; I am

talking only of the average. 8x523. Under your system, would you not cause discontent to the old men ?-If you will kindly refer to my answer, you will see that out of 82 Deputy Collectors, 61 are over the

age of 40.

32524. So that, you would promote to the post of Collector only men below 40?—Not necessarily. Of these 61 Deputy Collectors most are in the lower grades yet and have still to go up. I have been 15 years in the Deputy Collector's grade although I entered direct by competition. There are four or five Mámlatdár grades besides.

\$2525. According to your printed statement you are going to have a separate list in which the minimum pay is Rs. 300 and the maximum pay is Rs. 2,000?—Yes.

82526. And these higher rates of pay are to be given to 27 young men?-Yes, the pick of the University graduates who have passed a stiff competitive examination, not clerks or Mámlatdárs

32527. Under the present system of a combined list there is a chance for old men to rise to Rs. 800 or even Rs. 900 or Rs. 1,800 ?-Nothing will prevent Government from appointing a clever Mamlatdar to any position they like.

32528. You have made a separate list of young men?—Yes. There is no service in which I find young men and old men in the same grade. Old men should be at the top and young men at the bottom, but here I find the reverse, young men being at the top and old men at the bottom. That is what I do not like. Why should the poor Mamlatdars be made discontented by making them Rs. 300 and Rs. 400 grade Deputy Collectors, while young men are in the Rs. 600 and Rs. 700 grade Deputy Collectors.

32529. Do not you think that your system

of having a separate list containing 27 high posts for young men will cause discontent to the old Mámisidárs promoted for their long ex-perience and ability?—There are not 27 high posts; they are Deputy Collectors' posts. In all there are 34, and out of these only seven are listed posts. Twenty-seven are the old posts of Deputy Collectors which I propose to remove from the Deputy Collector's grade and put below these listed posts, and make a separate sarvica

32530. But you reserve these 7 posts for young men who have passed the competitive examination?—Yes, and who work up from the last grade to the first grade of Assistant Collector. There will be four grades before they can become Collectors; there will be the pro-bationary grade, and the third, second, and

first grade of Assistant Collectors.

32531. Under your system do you not
think the promotion would be more rapid for roung men than under the present system?—
I do not think so. Under the circumstances it
may be slower. There are only 7 listed ap-

pointments.

32532. Do you not think promotion to the Rs. 500, Rs. 700 and Rs. 900 will be rapid now?
—I cannot tell you whether it will be rapid or slow. It is a middle course which I have suggested as an idea. There has been so much destructive criticism that I thought a constructive idea might be welcomed. 32533. You say there is a separate Sub-

divisional Officer for each district ?-- Almost for each district. In the Presidency of Bombay there

32534.

are 19 districts ?—Yes. 32535. How many are there in Sind?-

Seven. 32536. Out of these 34 posts, how many would you give to these 26 districts ?—All. 32537. There are two Senior Collectors,

two Junior Collectors and one Junior Secretary in your list and you must exclude those posts ?—You deduct 7 from 34 and the remaining number is the present number of subdivisions given to the Deputy Collectors in the Presidency proper and Sind

32538. Would you appoint probationers in training in England to these posts?—That is a detail about which I have not thought.

32539. Because, if the probationers are excluded there will remain only twenty-one posts?-Then the remainder might be left for the Mamlatdars: I have no objection

32540. You say there are 27 sub-divisions and 27 posts can be secured out of this list but when I look at the list there are only 21 11th March 1913.]

Concluded,

Assistant Collectors excluding probationers?

--They might remove only 21 sub-divisions from the Deputy Collectors cadre, leaving the rest of the sub-divisions for those Mamlatdars who are thought fit and able and of sufficient merit to fill the post. My point is that there should be only one door for entering the service, and it should be competition. Let promotion be made purely on fitness and merit; but the first door should be by competition. Invite medical certificates, obstracter certificates and all that, but let it be competition as the last test.

32541. But the system of competition which was adopted in your time has been dispensed with by Government?—Yes; I say it should be reintroduced. Government dispensed with the system on the ground that the result of the competitive examination tallied with the result of the University examinations. That was the only ground on which they dispensed with the system.

32542. Was not nomination substituted in order to enable men of different classes to be selected and appointed?—Quite so, but I have kept a safeguard for the backward class of Muhammadans also.

Only Muhammadans?-The only two big classes in India are the Hindus and the Muhammadans.

32544. Would you admit the Hindus, Parsees, Anglo-Indians, and so on, and tell them to appear for a competitive exami-nation?—Yes.

32545. And you would only have a separate examination for Muhammadans?-Only if the Government think it necessary. If the Government think they are very backward in education, as it is the community forming one-fifth of the total population of India a separate examination may be held for them.

32546. According to the estimate a sepa-rate examination will have to be held every year or every alternate year?—Yes, just as

was done in my case. 32547. At what age should the candidates appear ?—I have not thought out these things, but I should say about the age at which civilians appear. When the first competitive examination was introduced I had to pass an examination in riding, and to pass the same tests in the departmental examinations, and in fact undergo the same probationary period as the Civil Servant. Let the same test be applied, and the age be anything you like bet-ween 23 and 25, so that University graduates may be attracted.

. 32548. You have reserved 27 posts for young men according to your scheme. If that scheme is adopted how many men from the present list will be transferred to that cadre?-It is for Government to say, I do not know the career and the fitness of everybody.

32549. I only want to elicit from you how many vacancies are likely to occur every year ?-I have said one or two.

32550, But in 13 years all the posts will be filled ?-One or two will occur after the whole cadre is filled, that is what I mean. If the service is created then there will be all the vacancies to fill. After the whole service is staffed there will be one or two vacancies every year or every alternate year.

32551. Out of 27 posts there will be one or two vacancies every year? - There will be 35 appointments, not 27. You have to count the listed appointments also. If the probationer goes up there will be the probationers' vacan-cies also, so that you will have to count 84.

32552. Out of 34 you think there will be two vacancies every year ?—I do not say that; there will be one every alternate year, it may be, or one every year or one every three years—I do not know. It is just as they held the Provincial Civil Service Examination one year; no examination the following year; an examination the next year; and no examination the following year, and so on.

Would you not reserve even one or two District posts to those old officers who have proved their ability during their long career?—I really do not see how it is possible for a gentleman who has been a Mamlatdar to become a Collector under this system. Government want to appoint him it is a differ-ent thing. But, how is the scheme to be worked?

32554. (Mr. Bhadbhade.) Have you seen the rules framed for the recruitment to the Executive Branch of the Provincial Civil Service?—I have. 32555. Do you taink those rules offer

sufficient encouragement to graduates to become Mamlatdars?—The last Commission was of opinion that the Mamlatdars should not be in

the Provincial Civil Service. 32556. I find there are some rules which provide for the admission of graduates to rise from a post of Rs. 30, and I see no provision is made for their being Mamlatdars after any definite period ?-I have not seen that rule. (The witness withdrew.)

WILLIAM HASTINGS SHARP, ESQUIPO, Director of Public Instruction, Bombay.

Written answers relating to the Indian Civil Service.

\$2557. (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-horn subjects of His Majesty?—That it would lead before long to a great increase in the proportion of Indians in the Service. The educational facilities may not

exist to any great extent now, but they would soon come, and no doubt cramming establishsoon come, and no doubt cramming establish-ments would be set up. The examination would dominate the whole educational system of India, and nothing else would have a look in by the

82558. (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate

Mr. W. H. Sharp.

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examination in India, or by meass of separate examination in each province or group of provinces in India? If you favour such a schema, what proportion do you recommend?—That the officers so recruited would tend to be looked upon as distinct from and inferior to those recruited in Bugland, whilst as in the last case the Indian examination would tend to dominate in an overwhelming meaner the whole system of instruction in this country.

32559 (10). What alterations if any do you resembled in the authorised syllabus of subjects and marks presentled for the open compositive examination I—I have not seen the syllabus but I have boon told that the Oriental classical languages do not carry so many marks as Greek and Latin. If so, I think that they might be equalized, provided of course that the steadard

of attainment expected is similar.

82596 (82). Do you consider that the probations? course of instruction could best be speat in Eugland or in India? Is your asswer canlly applicable to the case of Natives of India and of other natural-horn subjects of His Hapsty F-I certainly think it desirable that a Native of India who is to take part in the administration of this country should have an opportunity of acquainting himself at first band with some of the conditions of Hann of thought in England. The administration of his country is supposed to be Western in general and British in particular in its character and tendencies, and I do not see how this character can be expected to be maintained by men who join the serrice without having over some a Western country, or perhaps over having robken to a European. Many young Indiase such affects whole school and college course without ever hearing English space, and

less coming into any contact with the British. 32561 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It seems to me idle to pretend that the expenses of the average European having his domicile abroad are not greater -much greater -than those of the average Indian or other person domiciled in India. This being so it seems to me only fair that the former should receive more pay either in the form of special allowance or in that of increased salary. As to which of these forms is the more convenient in working I am hardly in a position to judge. Should the allowance be abolished I do not think that officers already employed should suffer. Newcomers have the option of entering on the terms offered or staying out.

#### Supplementary written answers.

3256.2 Sup., nestice (I). Please give the Commission some account of the backing provided by the University and the sufficient Colleges for the M.A. Bramination of the Bonday University. To what extent does the M.A. teaching corer the subjects which a candidate may offer for the Indian Uril Survice Bramination, and how does the standard attented in Bonday compare with that necessary to pass the Indian Civil Survice Bramination now hald in London —The regulations have recently been

revised and the new M.A. Bramination will be held for the first time in 1916. The University is contemplating making some arrangement for teaching the M.A. corress, or some of them, but at present it does nothing in this diversion. If the uffiliated Colleges the general principle is that the undergraduate have the first claim on the time of the staff, but help is given to the M.A. stadeast in proportion to the sime and staff, available. Attendance at any College is not comprising on any M.A. castidate, except in the case of Chemistry where the candidates have to submit certified laboratory journals.

(ii) There has not been time to obtain full information from the Colleges on this subject, but the following notes will indicate what is

being done at present :-

Bighinstone College. - Baglish, two or three lectures a week are usually given, but at present none; History, two lectures a week; Saaskrit, two lectures a week; Mathematics, assistance when asked for. Decor College. - Languages, History, Mathematics, assistance when asked for.

Wilson College.—English, two lectures a week; Sanskrit, three lectures a week; Chemistry, Physics, two years' course complete; Philosophy, assistance.

St. Xavier's College.—English with Latin or French or Persian, four or fire lectures a week; History, three lectures a week; Chemistry, three lectures a week and practical work daily from 9 till 4; Bloogy, three lectures a week and practical work daily.

lectures a week and practical work daily.

Fergusson College.—Mathematics, Philosophy, a two years' course; Chemistry, Physics, facilities in the laboratory and some lectures; Sanskrif, English, assistance.

The introduction this year of new regulations for the B.A. Exemination has greatly increased the work of individual Professors and consequently the help given to the M.A. candidates at some Colleges has been diminished.

(iii) Before comparing the M.A. subjects with those of the Indian Givil Service Examisation. I have to say that it is shared difficult to judge of the standard of an extansistion on paper: it is necessary to know something of the questions set and of the manue in which the answers are marked. In the case of the Indian Givil Service Exemination I have no practical exquaint-acce with it whatever, but I have consulted the subjects of the Comparison of the Co

syllates of the examination for 1913.

(iv) In crospers of languages I can say from my own knowledge that Grook is practically mone-xistent in this University, and the steadard of Lakin reey low. On the other hand I have always anciented from Indians who have been to England that the standard there attained in Sankriti was not high, and probably the same is true of Arabic. The standard in French here is low, owing to wast of conversational facilities, and German has only recently been added as a possible languages. Speaking generally then I should say that the Southay standard is containly lower than the Buglish one in respect of Grook, Lakin, French, and German, but probably higher in respect of Sankrit and Arabic. Al Indian friend who studied for the Indian Girls Service in Begind talls me that thous who offer English and Sankrit for the M.A. here do not find that the Indian Girls Service on Beginda talls me state thou who offer English and Sankrit for the M.A. here do not find that the Indian Girls Service were ever seven to see the second of the tent of

Mr. W. H. SHARP.

continued.

any new ground. If this is true at present it will be still more true under the new regulationsby which the course in English especially will be considerably strengthened.

(v) In Science I see that a large proportion of marks is assigned at the Indian Civil Service Examination to practical work. The insufficiency of practical work has been the great weakness on passess were necessary and present and the best of the wast of laboratory facilities. This may be expected to be remedied when the Royal Institute of Science

gets to work. (vi) In history the same friend tells me that the work required for the Indian Civil Service is rather more varied than that of our M.A., but that the facilities for studying economics in

Bombay are masgre.

(vii) Under Logic, Psychology, Moral and Metaphysical Philosophy, the Indian Civil Service syllabus gives no details. The M.A. course here is extensive on paper, but there is little assistance available in the way of teaching.

(viii) In Mathematics there are two M.A. The Indian Civil Service Lower and consess. The Indian covin service bases and Higher Mathematics together seem to cover a little more ground than either M.A. course separately, but I am hardly competent to prononnce on this.

(ix) The great difference between the two examinations is that the M.A. can be passed in one subject only, siz., Languages (English and another), History, Philosophy, Mathematics, Physics, Chemistry, or Natural Science; whilst for the Indian Civil Service a number of subjects must be taken simultaneously. But the Bombay M.A. candidate usually devotes only a small part of his time to his subject; he teaches in a school or studies law or follows some other pursuit simultaneously. If he gave up his whole time

32563. Supp. question (II). What is your experience of the difficulty of maintaining the secreey of examination papers in India and of other frauds in connection with examinations?-The University papers are printed with strict precautions at the Government Central Press on the day on which they are set. In the case of the Matriculation which is held at different centres

the papers for each centre are printed there on the day of the examination in the presence of the examiner in charge. The University Registrar enumer in charge. The observable registry tells me that there has been no leakage of exam-ination papers since 1885. In 1904 there was a case of personation at the Matriculation. Both parties to the fraud were charged before a Magistrate and sentenced.

32564. Supp. question (III). What in your opinion would be the probable effect upon University education in India of holding a competitive examination for the Indian Civil Service in this country?—In this country most students (and their parents) care only for appearing at an examination. No matter how ill-prepared the candidate may be, all that he asks is to be allowed to appear: he trusts that by the grace of God and the chapter of accidents he will then somehow scrape through, and of course at every big examination there are those who get through by a finke and thereby encourage their successors to follow the same course. I. think, then, that if there were an Indian Civil Service Examination in this country almost every undergraduate would aim at trying his luck at it, and would accordingly demand that the University courses should be so framed as to give him a chance. But the Indian Civil Service Examination; involves the simultaneous study of a number of rather heterosummaneous study of a number of moner netero-geneous subjects, e.g., English, Sanskrit, French, German, Botany, Zoology, Geology, English History, Buropean History, Political Science, German, Botany, Zoology, Geology, English History, Buropean History, Political Science, English Law were the subjects offered by a friend of mine. At present, the B.A. course is confined to English and one other subject and the M.A. course to one subject only. I think that a demand would arise for combining more subjects, so that the future Indian Civil Service candidate might start in good time with some of his Botany, Zoology and so on in combination with his Languages and History; and only such subjects or combinations would be patronised which promised to be helpful for the Indian Civil Service. No doubt, another result would be the paying of more attention to post-graduals students than is done at present; but it is doubtful if the Colleges would be able to do all that was wanted and in their absence I am afraid that cramming establishments would spring up and prosper.

# Mr. W. H. SEARP, called and examined. . .

32565. (Chairman.) You are the Director of Public Instruction in Bombay ?- Yes.

32566. You say that simultaneous examinations would, in your judgment, lead before long to a great increase in the proportion of Indians in the Service. Could you give us the reasons which have led you to form that opinion?—I think the number of candidates would greatly increase and so a greater proportion would pass.

32567. You say that at present the educaox20/. You say uses as present the con-tional facilities may not exist to any great extent, but none the less, you still think that by the largers num ber going up there will be a greater incess. In the number that will pass?—I do not think anybody would pesss immediately, but with the demand the facilities would be forthcoming.

32:68. You are of opinion that the Oriental classical languages should carry the same number of marks as Greek and Latin provided that the

same standard is maintained in each case?-I see

no reason why they should not. 32569. You say, that many young Indians rass through a whole school and college course without ever hearing English spoken by an Englishman, still less coming into any contact with the British, To what ext at it that the ease?—The great majority of schools are manned entirely by Indians, and many colleges are also manned by Indians.

3:570. I suppose that would not be the case in English schools and colleges in the larger towns i-The largest college of all in this Presidebey is entirely menued by Lidians, Pergusson College at Poons, which has nearly a thousand students. It is fed by a very large school which students the steep of a very large season where has a cross thousand boys, and a hoy may go right through that school and college without hearing an Englishman.

32571. Is no English taught there at all?—

English is taught but not by Englishmen.

Mr. W. H. SHARP.

[continued.

32572. Take for instance the schools and colleges in Bombay, are they manuel mainly by Indians?—Except the Mission Institutions. The Government High School here is supposed to have an English head moster, but for some time past it has not, as a matter of fact.

3: 573. In your Supplementary Answers you say, speaking of the difficulty between the two evanninations, the M.A. and the Indian Civil Service, that the Bombay M.A candidate usually devotes only a small part of his time to his subject, that he teaches in a school or studies Law or follows some other pursuit simultaneously. I take it you meen by that that he can easily pass his M.A. degree and still have sufficient time to devote to preparing for the examination ?-At present the M.A. is passed in one subject and he nominally spends two years over it, but of course be only spends a small fraction of that time in study. The Indian Civil Service requires him to pass in many subjects. It he deto ed his whole time to the matter he could do the Indian Civil Service work, tecause he could do many subjects simultanecusly.

32574. Do you think that if simultaneous examinations were established in this country, candidates would give up taking their M.A. degree and go in for the examination instead?-It would depend partly on the age limit, but It think that is what would happen in the first instance, that after passing the B. A the student would work for the Indian Civil Service, and if he did not pass in that he might appear for the M. A. in his strongest or easiest subject. I think in the firs instance he would not spend time in taking the M. A. by itself, but would go for the Indian Civil Service, and if he failed go back for the M.A.

32575 (Lord Konaldshay.) You say that if simultaneous examination were instituted the examination would dominate the whole educational system of India and nothing else would have a look in by the side of it. Do you mean that the course of instruction for the graduates will be ravically altered ?- I think it would be, so far as was necessary.

32576. Do you think it would be altered for the worse or for the better? - I have explained in one of the Supplementary Answers exactly what I mean. For the Indian Civil Service many subjects are required, and I think the same procedure changes in the University Course in Bombay have been more in the direction of specialising, and the number of subjects to be taken up has been limited; in the case of the B.A. it is now limited to English and one other subject. I thank the effect of introducing the Indian Civil Service examination would be to take it in the reverse direction; the struent who wanted to offer a number of subjects for the Indian Civil Service, would want to begin several of those subjects simultaneously lower down in his course.

32577. Do you think that the effect of that would be that instead of getting a sound education in one or two subjects he would get rather a superficial smattering of learning in a number of subjects?-I think so, for the average student. A good student may be able to take up a number of things at once, but the average student I think does better to stick to a few.

32578. (Sir Theodore Morison.) Do I gather from the answers you have just given that in your opinion the facilities for M.A. teaching are

somewhat inadequate?—Certainly.
3'579. That there is not enough teaching and possibly the standard is not sufficiently high to

occupy a man fully for two years?-That is so; occupy a mac can you to your this mot a full two rears' course at present.
32580. But supposing the MA examination was strengthened and the teaching staff

strengthened so that you could make it a good two years' course, would it then differ from a course at Oxford or Cambridge where I nuder-stand a man only takes up one subject? How many read for different schools at Oxford or Cambridge simultaneously?—At Oxford one reads only for one school at a time, I think.

\$2581. Suppo ing the M.A. is strengthened and improved, why should not a man take one

main subject, very much as he does now at Ox-ford or Cambridge if he is preparing for the Indian Civil Service? He takes one Tripos, we will say, and supplements it by reading at other times. Could not a man do much the same here?-Yes, I впррозе so.

32582. I do not see why it should necessarily produce that disorganisation in the M.A. course which you have referred to?-How is he to do these other subjects ?

325°3. How does the man at home who takes a single Tripos? Let us put aside the Greats man, whose course o' reading helps him without his having to su plement it, but the man who takes up a Cambridge Tripos must supplement it by a great variety of other things, and he dies that by reading in odd tunes?—I am afraid I do not know anything about it, because I never had anything to do with the preparation for the Indian Civil Service at all. I understand they go to crammers."

\$2584. Some do and some do not. I do not see why the thing should be very different here, or why it should disognise your M.A., or why reading for the M.A. should not help you to get through the examination. With regard to "cramming" establishments being set up, do you think there is really any likelihord of an establishment like Wren's coming into existence in India ?--Why should not Wren's open a branch here?

\$2585. Do you know what Wren has to pay

his men?—I do not know. 32586. Do you know how many he has?—I do not know.

32587. I see there are about 20 subjects, each of which may require a suparate man, and I heard with regard to one man who was afterwards in the Educational Service that he got £1,000 at Wren's. I suppose he would have to get much more if he came out here?—It would probably pay somebody to start out here,

32588. It occurs to me that if you get men of that class out here you will have to pay them very high, probably 100 per cent. or 50 per cant, more to work here?—Probably they would have to be paid high.

32589. I should imagine that Wren gets an enormous advantage by having half-time teachers, men who are living in London and doing other things; but the men here would have to be wholetime men ?-Yes.

32590. Do you think there is any indigenous talent that you could employ ?- I think in some subjects at any rate indigenous talent would be forthcoming.

32591. Familiar with the methods?-All these

things would take a few years to work up. 32592. If an establishment like Wren's is to pay they will have to oharge very hig fees ?—The students pay a good deal now in going to England and that money would be available at any rate, and a good many would manage to raise the fees,

\$2593. It would have to be something very different from the scale of fees they pay in any

college at present?—Yes. 32594. It would be more like hundreds instead

of tens?-Still the prize is very great and they would make every effort.

22595. You say there was a leakage in the examination in 1885; do you know anything about it ?-No, it was before I came to India. I did not

remember any case during my twenty years here, so I asked the University Registrar and he told me there had been no case since 1885, but he did not give me the details.

32596. You do not know what kind of examination it was ?-No.
32597. (Mr. Chaubal.) A witness we have had before us expressed an opinion that he doubted whether an Indian boy is any less handicapped by the fact of English being a foreign tengue at the age of 22 than he is at the age of 17. Would the age of 22 than he is at the age of 17. you agree with that? - I understand what is meant is that the difficulty, whatever it is, is the same at I do not know that I should agree with that altogether. If he goes on reading any

thing he must be more familiar with the language.

32598. We have had complaints from Professors that boys who come fresh to a college are not able to understand the English spoken .- That

is perfectly true very often.

\$2599. An opinion was expressed here yesterday and I want to know what your view of it is. Supposing that if for any purpose it was thought desirable Indian headmasters should recommend the names of half-a-dozen of their boys for any examination, could not these headmasters be trusted to make their recommendations without any favouritism?-A certain number of them certainly could, and there are certain headmasters whom I would trust to give any opinion of that sort, but there are others no doubt who would find it very difficult to hold out under pressure of friends and asquaintences. I do not however like

to say anything against headmasters, 32600. (Mr. Gokkale.) I would like to ask you one or two questions about this opinion of yours that a simultaneous examination would dominate the whole educational system of India and nothing else would have a look in. In your Supplementary Answers you say, that you think a demand would arise for combining more subjects for the B.A. so that the future Indian Civil Service candidate might start in good time with some of his Botany, Zoology, and so ou, in combination with his languages and History.
Will you tell us how the institution of a simultancous examination for the Indian Civil Service is going to dominate the whole of our educational is going to dominate the white of our concessions, system?—At present we have a smaller instance of the same thing in the way in which the University course, entered by the Matriculation, dominates the school course. Matriculation is by far the most popular examination or course, and although efforts have been made for many years intengin unious nave been made for many years to get boys to go into other lines, commerce and technical work, the number who take those lines is very small compared with the number who

appear for the Matriculation, presumably with appear for the mannenator, meaningly when some hope of going to a college. It think that the same thing would occur higher up. The number of students wishing to appear for the Indian Civil Service examination would be very large and there would arise a popular demand that the course in the colleges, and possibly even in the schools, should be so framed as to make it as easy as possible for them to work up to that standard.

32601. Are you quite sure that the two cases are similar, the case of the University course dominating the position in the high schools through the Matriculation, and the Indian Civil Service dominating the University course? Most boys that go to high schools do want to continue their studies in colleges, if possible, and as the University lavs down the curriculum in the colleges and at the same time regulates the standard for those who want to proceed from the High School to the College, there is a sort of interdependence between the two. But how is there going to be this inter-dependence between the Indian Civil Service, which is an outside examination, and the University curriculum in the colleges?—I think a popular demand will arise and pressure will be put on the University to arrange this curriculum to fit in with the outside examination, 32602. Who can alter the curriculum?—The

Senate in the first instance.

32608. The Senate can only recommend?-And

it is sanctioned by Government.

32604. You know that four-fifths of the members of the Senate are appointed by Government every five years?—I know that very well because I have been several times asked on behalf of the Government why it was that, with fourfifths nominated by Government, Government proposals could not be got through the Senate.

32605. That may be the fault of the proosals?-At all events, it does not necessarily follow that the Government proposals are

carried out. 32606. Surely, the Government selects men because they may be trusted to look after the ducational interest of the Presidency Roughly, that would be the assumption, but apart from that, even if the 80 men in the Senate appointed by Government showed a want of consideration for the true educational interests of the Presidency. nor the grade entertaint in the control of the freedomy, there is the Government to prevent any changes being made?—There is the Government, but then the Government yields every now and then to popular demands. Great pressure would be brought to bear, motions would be moved in the brought to bear, includes would be invoid in the Legislative Council, and so on, and if there was a very strong, urgent denanal I think that both the Senate and the Government would yield to it. 32607. You mean that the pressure of popular againston will make itself left first on the Sinate and then on Government?—Probably so.

\$2608. And that on account of such pressure changes will be made?—Probably.

32609. Have you in view any instance in which a thing like this has occurred in the past during the whole of your experience, when changes have been made in the University curri-

changes have been made in such conversity curri-culum in response to a popular demand from-ontside?—I do not know that I can mention any. : 32210. During your whole experience there has been no case like that, as far as you recollect?—The introduction of an Indian Civil Service examination would be a totally novel phenomenon.

Mr. W. H. SHARE.

Continued.

32611. We are talking of any instances in which outside public pressure has influenced a decision ?- I suppose the thing that came nearest to it was the proposal to have examinations by

compartments,

\$2612. But, did anything happen? Those has been no instance in the past in the University of Bombay, so far as you are aware, where popular agitation outside has led to changes in the ourriculum of the colleges?-No, not that I can

32613. Therefore, taking your past experience, and taking these two guarantees that 8) of the 100 Fellows are appointed by Government, and that the ultimate sanction must be by the Government before any changes can be mais, the view may be held that this danger you apprehend is very remote?—I do not really think the 80 per cent, has very much to do with it. For the last four or five years Government have been making strennous efforts to get certain of their proposals adopted by the Senate, and it has been only with very great difficulty that a mutilated form of these proposals was adopted in the end. 32614. You know as well as anybody that

that has been due to the fact that the Government has sought to impose its own views on the Senate, that the Senate has been called upon to resoind its own resolutions, and so on. That is a different its own resolutions, and so on thing from the Government not sauctioning any power is always with the Government?-That power is there, but I still think that under great pressure of public opinion such changes would be

32615. Unless the Government was very weak I do not know how this is going to happen, In any case, it has not happened in the past, and that is sufficient for my purpose just now. You say in your written answers: "In this country most students care only for appearing at an examination. No matter how ill-prepared the candidate may be, all that he asks is to be allowed to appear; he trusts that by the grace of God and the chapter of accidents, he will then somehow scrape through." It may be that in the case of lower examinations candidates are anxious to go up, but the higher you go in these examinations the less you find of that? -I think it is true up to the B.A., at any rate

32616. Take the M.A. and the LL.B.?-The

M.A. number is exceedingly small.

32617. At the M.A., a student practically
goes up of his own accord?—The college has no control over the M.A., candidate. He produces no form from the college, but simply presents

no rorm from the college, our simply presents himself at the University.

32618. Therefore, if the tendency you speak of was really a rootel tendency in the Indian nature, almost everyhody would go up for the M.A., since there is no restriction?—A great many people do not want the M.A., it means many proper to not want our made, it frame waiting some time longer, and paying a pretty high fee, and doing a lot of work. Most of them have to get something else to do.

have to get something case to us.

\$2619. In any case, it does not happen that
many go up for the sake of appearing?—Not for
the sake of appearing.

\$2620. Take the LL.B. which is a more paying

examination from the standpoint from which you speak; there also a candidate can go up without any restriction provided he has kept certain terms. Does it happen that many candidates go up for the sake of going up ?—I am afraid I do not know about the LLB. In giving my answer I was going by experience in schools and in the Arts

Colleges up to the B.A.

32621. In the case of the lower examinations it may be so, but in the case of the higher examinations there is a greater sense of responsibility on the part of the students; and the Indian Civil Service would be a very high examination?—Yes, but it is a very high prize, and I think a great many would like to have a shot at it.

32524. It means preparation for two or three years, and young men are not likely to throw away two or three years unless there is a reasonable chance of their getting through ?- It is the first thing young men think of at present. If a man has done very wall in the University course he wants to go to England for the Indian Civil Service; if it were in their power they would go

in large numbers. 32623. For the first year or two they might make a mistake, but they would soon find out how difficult the examination was. Unless they were reasonably prepared for the examination do you think they would appear for the sake of appearing?--They might change their nature in the course of time, but I think to begin with a great many

would like to have a try.

\$3624. Do not you think the present course of the Bombay University is a full course for two years? Take History for instance?—I do not think so. At the Elphiustone College they have

almost always taken it in one year.

33625. That was under the old regulations: I am talking of the new?—The present M.A. charse is the old one. A new one has been drafted and is to come into force in 1916, when the first examination will be held.

\$2626. About ten or twelve years ago was there not a re-casting? - They have been gradually altered. The idea was to make them two years, but the English course in particular has stuck behind and is certainly not equal to the others at

32627. But do not you think the History course is a full course for two years?-I do not think it is enough to occupy a man's time for two years, The colleges give a very small number of leatures and many of these men work for their M.A. in their spare time, teaching in the Bombay schools or warking for the LL.B. at the same time. 32628. Do these men pass the M.A. in two

years?—I think so.

32629, (Mr. Fisher.) How long have you held your present appointment?—Four years. \$2830, And before that?—I was Principal of Elphinstone College.

\$2631. So that, you are very familiar with every grade of education in the Presidence?-32832. Do you see any marked progress in

education in the Presidency of Bombay? Do you think on the whole that education has made substantial progress? - I think so cartainly. The standard is gradually rising.

department of education, 32633. In each Elementary, Secondary, or University, is the progress most manifest?—In the University and also to some extent in the Secondary. In Primary,

I suppose, it is rather diffusion.

32034. Is there any advance in the number of students pursuing higher studies at University Advanced Courses beyond the M.A.?—No, not

11th March 1913.1

Mr. W. H. SHARP.

Concluded.

to do. 32635. But there is an increase in the number of persons taking the M.A.?-1es, a very great

increase in the last twenty years, 32636. And attaining marked proficiency in the

examination ?-I think so.

326.7. If it were thought desirable to have the open competitive examination in England at the age of 19 instead of at the age of 24 that I suppose would be prejudicial to the chances of Indians?- Yes. The minimum age for Matriculation is 16, and before the Indian Civil Service constant to 3, and better the lander Service Service it is advisable for him to put in some work here and some work in England.

32638. If it were thought advisable, in order

to secure the best Brglish ability for India, to put the examination back to 19, would you be prepared to consider any form of separate examination in Ind a to compensate the Indians for the disability which would be imposed upon them?-I think they would have to be compensated in some way. I do not think it would be fair to put the age so low that an Indian could scarcely get time to prepare for it.

32639. In your written answers you seem to be almost more averse to the idea of a separate examination then you are to the idea of a simultaneous examination ?-Several Indians themselves have said to me that they think it would be a mistake from their own point of view, because the two classes of men would be regarded as different.

326.0. Leaking at it from your point of view as an educationalist, would you hold that view?—I thuk it would be more satisfactory to have the same examination for everybody.

32641. Is it your opinion that the Indian boy is exceptionally precocious at 19 ?-No, I should think his precocity was a good deal earlier

than 19, 32642. Is he apt to go off intellectually ?-

Yes, between 15 and 19.

32643. And between 19 and 22 what do you say !- I do not suppose there is very much

\$2544. Do the University students overwork themselves very much?—They tend to work very hard at extain periods. They slack off for a good deal of the year and work very hard towards the end of the time.

32645. Do the Professors come into very close personal contact with the students ?-Some

beyond the M.A. There is nothing for them of them do and some do not. We only have two follows. Government Colleges—a third has been just added—so that the total number of Prefessors is not very great, but in each College, there are always some who mix freely with the students, associate with them and play games with them.

32646. So that, in some cases, the Professor would really be able to give a good certificate of

character? - Certainly

32647. Which could be trusted ?-Yes.

32r48. But not in all cases ?-No. All that you can say is that he bears a good moral character, which really means that his conduct has been satisfactory so far as you know it. 32649. I suppose there is not in the Presidency

the same close supervision over the life of the student as you would get in an English public school or an English University ?-Not so much 32650. Is it tending to increase ?- The nearest approach we have to it is in the Decean

College at Poons, which is almost entirely a residential College and is more like an Oxford College. In the other Colleges, a certain number of students may live somewhere near, but a large proportion of them live generally outside, and there is nothing like the Oxford system of lodgings or

anything of that sort. 32651. Is it your experience that there is any great divergence in intellectual or educational proficiency between the different classes and communities in the country?—Certainly there is a pretty sharp distinction of what are called the advanced classes and the backward classes. A boy belonging to the Mahmitta class, for instance sometimes does very well up to a certain point but I think they rather tend to fall off after a certain

32652. After a certain age ?-After a certain

point in the course. \$2653. Which class would you consider the

most advanced intellectually ?—The Brahmans. \$2654. Is there any sign of a levelling-up?-There are more of the other communities coming forward now to be educated, but some of them, of

course, are very backward indeed

\$2655. Would it be your view that if the examination were established now, either simultaneous examination or separate, it would result in continuous Brahman success? -- Almost wholly, I think, for the present.

(The witness withdraw.) (Adjourned to to-morrow at 10-30 A.M.)

## At Bombay.

Wednesday, 12th March 1913.

## THIRTY-FIRST DAY.

## PRESENT:

THE RIGHT HON, THE LORD ISLINGTON, R.C.H.G., D.S.O. (Chairman).

THE BARL OF RONALDSHAY, M.P.
STE MURRAY HAMMUCK, K.CS.I., C.LE.
SIY THEODORE MORISON, K.C.LE.
MAHADRY BHASKAR CHAUBAI, RSQ., C.S.L.
GOPAL KRISHNA GOKHALE, ESq., C.LE.

Walter Celley Madge, Esq., o.e. Frank George Sly, Esq., o.s.i. Hebsert Albert Laurens Fisher, Esq. James Ramsay MacDonald, Esq., M.P.

And the following Assistant Commissioners:-

JOSEPH JOHN HEATON, Esq., 1.C.S., Judge of the High Court of Judicature, Bombay. RAO Bahádur RANCHANDRA NARAYAN JOGLERAN, Assistant to Coramissioner, Central Division, Poona. RAGHUNATH GANGADHAE BHADBHADE, Bsq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (Joint Secretary).

JEHANGIR H. KOTHARI, Esq., Additional Member of the Legislative Conneil of His Excellency the Governor of Bombay.

Written Answers relating to the Executive Branch of the Indian Civil Service.

28256 (I). What is your experience of the working of the present system of recruitment by open competitive exactination in England for the Initial Girll Service? It by one coopet it, as generally antistactory in principle 8—teresan coquaintance with practically every senior member of the Indian Ciril Service who has served in Sind during the past 55 years and personal experience of their indisconce on the administration of Sind in general and the district and town of Kartschi in particular during the same period.

This acquaintance has convinced me that the practical result of the present system of recruitment in England for the Indian Civil Service has seened the very best material, so far as character, integrity and scand common sense is concerned, for the British Administration in India.

2255′ (6). In particular, what would be your opinion regording a system of simultaneous examinations in India and in Regiand, open in both cases to all instant-horn subjects of His Mejesty?—I am not in favour of a system of simultaneous examinations in India and in England for recreitment for the Indian Civil Service. It Delivor the system of simultaneous examinations community monopolising nearly all the posts which would be filled by recreitment by this inneas in India.

Further, I hold that the material recruited in India by means of simultaneous examinations would not be equal to, or of the same calibre as that recruited under the present system of competitive examinations held in England.

32058 (7). What rould be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Uril Service earls by Natives of Indian Uril Service earls by Natives of India, recruited by means of a separate examination in lating or by means of a separate examination in lating or by means of a separate examination in lating or by means of a separate examination in It fly one forow stable eithers what proportion of you recommend?—I can not present in fravor of the system angrees of of recordineast of a fixed proportion of vacancies in the Indian Uril Service by Natives of India recorded by separate examination in India, or response Proviouslal examinations. I hold this view as I do not consider in the generality of cases the present nitrevisity examination system in India is a really efficient test of education in the true state of the word.

33259 (8). If you do not approve of simulaneous or separate examination in India, may pun in favore of any system under which Natives of India would be selected in India for admission to the Indian Cirl Service by means of (a) combination, (b) combined nomination and examination, or (c) any other method? If no, describ fully what system you would recommend. In particular, do you consider it desirable this describ fully what system you would be represented in the uppointments so made? If so, how would all classes and communities should be prepared ought be selected for admission to a limited proportion of vacancies in the Indian Cirl for the control of the control of the control selected by nomination. The examination should be from amongia analidates previously selected by nomination. It is consider it desbads that all classes and communities should be represented in the appointments so made. I

continued.

way. Reserve 25 per cenk of the anunal vacancies in the Indian Givil Service for recraitment in India. Supposing, 5 vacancies fall for filling up in India by this means, each Local Government or Administration or Head of the Province would be called upon to nominate one individual from each representative community as candidates for the vacancies. Such persons whose nominations may be approved of by the Governor General in Council should then be aphylocal to an examination at a central head-quarters, say Dobb, and appointment should be made on the result of this examination. Results should, however, not be judged solely by written tests of knowledge, but in addition to the usual strict physical test each examines should be subjected, at a personal inferriero before the examining bards, to a test for his fluence as gentleman for the high official position and social responsibility.

82660 (9). If you are in favour of a system for the part recomment of the Indian Givil Service by Natires of India in India, do you consider that "Natires of India" should still be eligible for epointment in Hoghand 1—I do not consider that Natires of India should be deprived of their present eligibility for appointments to the Indian Givil Service in Bagland even if the system advocated in answer (8) above is adopted.

32601 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India", see being in first of, or as supplementary to, the present system of promoting to listed points officers of the Provincial Civil Service? If the former, what salterstion, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would regard the system outlined by me in answer (8) above, as being supplementary to said not in fine of the present system of promoting to listed posts officers of the Provincial Civil Services.

32662 (12). Are you assisted with the present stantory definition of the term. "Natives of India" in section of at the Government of India Act, 1270 (38 Vict. c. 3), as including "any person horn and domicided within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temperary purposes only", irrespective of whether such persons are of unmixed Indian descent, or of unixed European and Indian descent, or of unixed European descent? It not state fully any proposals that you wish to make in regard to this matter, 2—I am satisfied with the present statutory definition of the term "Natives of India".

32863 (13). If the system of recruitment by open competitive examination in Begland is retained, state the age limit that you recommend for candidates at such examination, giving your reasons —I am in favour of the present age limits (22 to 24 years) for candidates for the Indian Civil Service.

Junior Civilians shortly after arrival in India are called upon to exercise Magisterial powers and discharge important executive functions, and any earlier age night result in these duties failing to youths too early in life with unsatisfactory results. The present age-limits are sufficiently advanced to secure young men of sufficiently mature judgment.

32864 (14). What in your opinion is the most suitable age at which justion drillans recruited in England should commence their official duties in India I—I consider the same age-limits suitable for candidates who are Natives of India as these at present for all candidates, vis. = 22 to 24 years. The age uppears to be a fit and proper one and seems to give satisfaction. As all candidates appears for the examination on an equal footing, there appears no need for differentiation between the age-limits for the Natives of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of Hills depress of India or other natural-born subjects of the Satisfects.

8866 (19). Do you consider that a minimum proportion of Buropan subjects of His Majesty should be employed in the higher posts of the Orivil Administration? If say, to what proportion of the posts included in the Indiano UNI Service carbs do you consider that Natives of India might under present conditions properly be admitted ?—I do consider that a minimum proportion of Engrepan subjects of His Majesty should be employed in the higher posts of the Civil Administration. I consider that to 2 per cent, of the posts included in the Indian Girll Service earthy Natives of India might under present conditions be properly admitted under heavy starting the system cultiled under heavy starting the appropriate that the post of the posts included in the Indian Girll Service carbs. Natives of India might under present conditions be properly admitted under heavy starting and under present.

32666 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service earler partly through the median of an open competitive examination in Hingland and partly by special arrangement in India I—I do accept as satisfactory in principle the pressni system of

39507 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service endre has been stopped or has never axisted in your province would you advise its re-introduction or introduction as the case may be, and if the system should be introduced or re-introduction, to what extent, in your optime, should it be ndopted 7—1 do not advise the re-introduction of the system of sectining Military officers in India for posts in the Indian Civil Service.

32968 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are dealered to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service; can properly be appointed?—I consider the system a very useful one for rewarding members of the Provincial Civil Service of proved meth and ability and consider that as far as possible all used history descends that as far as possible all used history descend by selected members of the Provincial Civil Service.

32069 (25). Are you satisfied with the present rule which prescribes that Natives of Idia, other then members of the Provincial 100 Service or Statutory Civilians, may be appointed to one quarter of the histed posts I—I consider that the reservation of one quarter of the Mr. Jehanger H. Kotharl.

continued.

listed posts for direct appointment of outsiders has an unsatisfactory effect on the prospects and advancement of the Provincial Civil Service.

83670 (26). Are yet estained with the system by which must of the infusion itself posts are merged in the Provincial Givil Service !—I am not satisfied with the system by which most of the Inferior listed posts are userged in the Provincial Civil Service in so far at the pay of the posts so merged in our testined at the rate originally drawn by the members of the Indian Civil Service when holding these posts, but is reduced to the Provincial Civil Service rates.

39571 (27). Is the class of posts listed suinble? If not, in what directions would you suggest any changes, and why? "White the class of posts listed is generally suitable, additions might advantageously made to is, for instance in the Bembay Presidency and Sind the posts as Under Scoretary to Government. Small Coase Court Judges, Assistant Settlement Officer, Assistant to the Director of the Land Record, might well be thrown open to the numbers of the Provincial Civil Service.

Experience in these posts under the guidance of Sonior officers, would offer a most valuable field of training for higher appointments for the Provincial Civil Service, while at the same time my experience indicates that many of these officers are fit for such posts which are listed in other provinces.

32572 (22). Do you consider that candidates recreited for the Indian Oiril Service by open competitive examination should undergo a period of protation before being admitted to the Serrice I—On the principle that a period of probation offers a most valuable opportunity for gauging the capabilities of an offices, I do consider the candidates for the Indian Oiril Service should undergo a period of probation before being admitted to the Service.

\$2073 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probations?—In my opinion, the period of probation should be two years. In addition to the present departments tests, I would suggest examination of a year's practical work in accentive charge of a revenue territorial unit.

32574 (31). Do you consider that any differentiation is necessary between the consec of study for probationser who are Natives of India and the course prescribed for other nathral-born subjects of His Majesty 71 fs. op please state the special arrangements that you recommend?—

\$3975 (32). Do you consider that the probationer's course of instruction could best be spent in England, or in India' Is you masswere quality applicable to the case of Natires of India and of other natural-born subjects of His Majesty?—Over and above the present year's probation; in England, I think the two years' probation, in any of 500 shows should be spent in India.

nonganu, a tonus, sue swo year processing answer (30) above, should be spent in India. 32676 (35). Are you estisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have takon up their appointments in India? If not, what

change should, in your opinion, be introduced ?— In my opinion more time should be spent in learning practical administration work than in study for passing departmental examinations.

3827 (36). Do you consider that there has been any determent on the knowledge of the Indian languages possessed by members of the Indian languages possessed by members of the Indian Civil Service 2 I foo, what are the causes f Aru you satisfied that European members of the Indian Civil Service 2 State to an adequate professioner in the study of the Indian languages and, if food, how could this best bromelied I—80 far as I am aware there has been no deterioration in the working acquaintance of Indian languages possessed by members of the Indian Civil Service.

38/28 (40). Is any differentiation desirable in a system of training after appointment in Lalis between members of the Indian Civil Service who are Natives of India and other natural-born asbjects of the Majesty? It so, please state the special arrangements that you recomment?—No.

38279 (47), Turning now to the case of the Statatory Civilina and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw safary approximately at the rate of two-thirds of the pag drawn in the same posts by members of the Indian Civil Service 1 If not, what rates do you suggest for the various grades of the Sarvice I—I do not approve of the arrangement by which Statatory Civilina and Officers of the Provincial Ovill Service American Service Provincial Ovil Service American Service Services of two-thirds of the page description in the same posts by members of the Indian Civil Service.

I suggest the following for the various grades of the Provincial Civil Service:—the grade Be. 400; 3rd grade Bs. 600; 5rd grade Bs. 600; lst grade Bs. 1,000. When promoted to listed posts, Provincial Civil Service Officers should be eligible for the same rates of pay as Indian Civil Servants.

Written Answers relating to the Executive Branch of the Provincial Civil Service.

32680 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No.

3986 'G4). Are all classes and communities duly represented in your Provincial Civil Services' Do you consider that this is desirable, and what arrangements do you recommend to secure this object '—All classes and communities are represented but the Hindus hold an undue proportion as following figures indicate so far: Sind is concerned !—

Of 30 Deputy Collectorships 15 are held by Hindus.

, 17 Sub-Judgeships 15 are held by Hindus, , 78 Mukhtiarkarships 68 are held by Hindus.

9 Public Prosecutors and Assistant Prosecutors 8 are held by Hindas.

, 31 Senior appointments in the Inspecting and Teaching Staff of the Educational Department 28 are held by Hindus. Mr. Jehangir H. Kothari.

continued

32632 (60). Are the existing rates of pay and grading in the Provincial Uvil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see onsere to question (47) above.

3868 (68). Are you estisfied with the present system of superamunation pencious for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am of opinion that officers of the Provincial Civil Service should be eligible for superamunation pension after 25 years' service.

\$2634 (65). Have you any other proposals to make in regard to the Provincial Civil Service notcovered by your answers to the above questions? If so, please explain them I—I am of opinion that Government will be well advised to that steps to improve the status and prestige of all branches of the Provincial Civil Service and attract to its ranks the best material available from the subordinate services and from all the races and creeds of India.

Al present, officers of the Provincial Giril. Service prope with a very few exceptions rank as second class officers until they attain to a grade earrying a salary of more than Rupees 800 per measens, the, either at the termination of a long official career or not at all. Even, officers who are called upon to discharge the ardones and responsible duties of first class appointments do not ordinarily receive any special rate of pay or salary.

Ordinarily all members of the Provincial Civil Service are subordinated in status to even junior members of the Indian Civil Service. Herein, lies a legitimate grievance which it will reward Government to take steps to cradicate.

Given states and adequate pay the proper material to fill the important posts and discharge the responsible duties of the Provincial Grid. Service will be forthcoming and Government will secure a body of loyal, houses, and contended officers locally recruited and of the highest profitical value. But let the process of selection for these appointments be of the most rigid nature and avoid the selection of one who will be actining else but "Munshis" to the end of their

In passing, it may be mentioned that in the Railway Administrations and the Public Works Departments, the cleavage between the covenant ed and the locally recruited guaetted officers is not so marked as in the Civil Service proper.

In conclusion I would refer to the necessity of provision for the families of these members of the Provincial (Wil Service, who are known to have been left in indigent circumstances. At present, each of pay no honest member of the Provincial Civil Service can retire or die a rich men on savings from pay alone. It appears very essential that Pamily and Pension Funds should be started for the Provincial Civil Service on the lines of similar Judian Civil Service on the lines of similar Judian Civil Service funds,

## Mr. JEHANGIE H. KOTHARI, called and examined.

32685. (Chairman.) You are an Additional Member of the Legislative Council of Bombay?—I am.

32686. You consider that open competition provides, on the whole, the best material for the Service?—Yes.

32687. And, therefore, you would not care to see any alteration of that method in the direction of nomination?—Not by any means.

82688. You are opposed to the proposal for simultaneous examinations ?—Yes.

32689. You think that it would result in one Indian community monopolising all the posts?—Yes.

82690. Which community are you thinking of when you say that?—The Hindus,

32691. You are also opposed to the proposal for a separate examination in India?—Yes.

81692. You say that you do not consider the present University examination system in India an efficient test of education?—That is so.

32693. Could you explain to us a little more clearly what you mean by that?—I may call them bookworms; they may be well educated, but they have not any practical training.

32694. What changes would you like to see effected in the University examinations?—I am not prepared to say anything on that point because that does not concern me. To my

mind the education received in a University is not a proper test.

\$2695. Do you consider that the subjects of the examination are inappropriate or are incomplete in number?—Incomplete in number.

32696. So that, really all you mean by this remark is that there should be a further development in the syllabus of the University?—Yes

32607. That so far as it goes it is right but it does not go far enough?—That is so.

32598. Why should this defect influence you particularly in opposing an examination in India for the further admission of Indians to the Service 2—Because, the University examination is not really an efficient test of education in the true sease of the word.

82699. If the syllabus in the University were developed, would you still hold the view which you have written down here?—No.

32700. You suggest a scheme for appointing-Indians to a limited proportion of vacancies by nomination combined with examination. Whatkind of examination do you suggest there?— The examination will be a University examina-

32701. But that is hardly consistent with what you have been just saying?—The examination should be of candidates to be selected by nomination.

continued.

\$2702. So that, you have no objection to this incomplete examination at the University being a test for entry to the Civil Service ?-- It is not

a fair test or a perfect test.

32708. You have then no objection to this University examination when it is combined with

nomination ?- That is so. 32704. Why should you have no objection to a University examination, which is objectionable in itself, when it is combined with nomination?-Because, as I said, it is not a sufficient

test of education.
32705. That is all you are prepared to say on the subject ?-Yes.

32706. Your scheme would provide for 25 per

cent, of Indians ?- Yes. 32707. You would nominate by Provinces ?-

Yes. 32708. You set store by a rind roce examination ?-Yes, and at the same time a man should

show his ability and fitness as a gentleman. \$2709. You would retain for Indians the right

to appear at the London examination ?-Yes.
32710. You would also retain the listed post system ?-Yes.

32711. But you would not maintain the right to appoint from outside the Provincial Civil Service a quarter of the listed posts ?-Yes.

32712. By removing that power of appointment would you not be precluding recruitment from sources like the Bar ?- I would not object to seeing members of the Bar being appointed to Judicial positions.

32713. So that, to that extent you would modify your opinion !—Yes.

32714. And you would add certain listed posts to those already existing ?-Yes,

32715. And you are in favour of a two years' probation with the present age-limit? -Yes.

32716. So that the Civilian under your proposal would commence his work in India at the age of twenty-six?-Yes.

32717. Do not you think that is too late?-

32718. You do not agree with those witnesses who come before us and say that they think it would be better for the civilian to commence his work in the Service two or three years earlier?-No.

32719. From your answer to question (32) I gather that you would prefer a three years' probation for Europeans. You say: "Over and probation for Europeans. above the present year's probation in England I think the two years' probation, in answer to uestion (30) above, should be spent in India." That is three years ?- Yes.

32720. So that, a Civilian would begin work at twenty-seven. You do not think that is too

late?—No.

32721. You think that a three years' probation is necessary ?-Absolutely.

32722. In your answer to question (65) you suggest an improvement in the Family Pension Fund for the Provincial Civil Service. Could you tell us what you would suggest by way of improvement?—In re-considering the matter after sending in these replies I find that there would be some difficulty about a Family Pension Fund with regard to Hindus and Mahammadans, because Mahammadans have sometimes more than one wife and the same may perhaps be said of Hindus.

32723. Have you got any suggestions to make for overcoming that difficulty?—No, I am not prepared to give that answer straight off.

32724. But provided that difficulty could be overcome, you would like to see an improved

scheme for these funds?—Yes. 32725. But you are not prepared to give us

any definite proposals?—Not at present, 32726. (Lord Ronaldshap.) You told the Chairman that you thought if a simultaneous examination was held the posts would be monopolised by Hindus. Do you anticipate that if that happened it would give rise to administrative difficulties?-It will create heartburning among other communities. I have given you a living instance of how it applies. In Sind alone of 30 Deputy Collectors 15 are held by Hindas, of 17 Sub-Judgeships 15 are held by Hindus, of 78 Mukhtiarkarships 68 are held by Hindus, of 9 Public Prosecutors and Assistant Prosecutors 8 are held by Hindus, and of 31 Senior appointments in the inspecting and teaching staff of the Educational Department 28 are hold by Hindus,

32727. That is what I might describe as a sentimental grievance: but do you think it would give rise to any administrative difficulties if you had a very large number of Hindus in administrative posts?-As I have just told you, it would create ill-feeling amongst other communities.

32728. It is only on that ground you object to it ?-Yes. 32729. I understand you do not think that

an examination is the most satisfactory test of administrative capacity ?-No. 32730. At the same time you would like to

see facilities given to Natives of this country for obtaining a rather larger share in the higher administrative posts than they possess now?— I do not think there is any immediate necessity for doing that.

32731. But you would like to see more chance given to the Natives of this country of getting into the higher service, would you not?-Then it will be on the same lines.

32732. Do you or do you not wish to give the Natives of this country greater facilities than they possess now for getting into the higher services?-Yes, but that facility should be given on the lines I have described in my answer to question (8).

32733. I am not for the moment dealing with the question as to what particular kind of facili-ties are to be given. I only want to be clear that you do think it is desirable that some facilities, in addition to those which the Natives of this country already possess, should be given to them for getting into the higher branches of the Service !—But not to give such facilities that would increase the wants. that would increase the numbers more than 25 per cent.

32734. That is a qualification?—Yes, 32735. I also understand you are very anxious that the position of the Provincial Civil Service should be made as attractive as possible?-Yes,

. ...

Mr. Jehangir H. Kothari.

Continued.

32736. Do not you think that both your objects might be achieved, and that at the same time your doubts as to the efficacy of examinations being the best test of administrative capacity got over, if instead of instituting nation which you suggest you were to pick the best men from the Provincial Civil Service and promote them to the ranks of the higher service?-Yes.

32737. Do you think that would be a good

system ?-Yes.

32788. Just one question with regard to the pension fund difficulty. Of course all officers n the Provincial Civil Service can now subscribe to the General Provident Fund? -Yes.

32759. But I understand from your answer to the last printed question that you do not consider the provision which they can make by means of that fund is really quite adequate? That is so, because they are so lowly paid.

32740. And they can really only get a lump sum down when they retire by subscribing to

the General Provident Fund?—Yes.

32741. Instead of getting merely a lump
sum down you would like them to be able to subscribe to some Fund which would give their families a pension ? - When I sent in this reply it did not occur to me that there might be a difficulty in connection with Muhammadans and Hindus, as I have just told the Chairman.

32742. I quite realise that when you were answering the Chairman you did being up that point, but it is conceivable that we might get over those difficulties. What I want to be clear about is exactly what you desire to see done. Do you desire that in addition to the General Provident Fund there should be some Fund which would provide, not merely a lump sum down for the man who retires, but a pension for his family in the event of his own death?-That scheme requires consideration and I am not prepared to give you a reply straight off now.

32743. But if it could be found possible to provide such a Fund you think it is very desirable it should be done ?- Yes, but on what lines

I am not prepared to tell you now.

32744. (Sir Theodore Morison.) I understand you to say that you desire nomination in order to correct the deficiencies of the University education ?- Yes.

\$2745. In what respects do you consider this University education deficient? - Mere University education does not mean that the men have that driving power which is needed.

32740. It is in point of character that you think the University education is deficient?—Yes. 32747. When you have satisfied voorself that the candidates had these moral qualifications,

then you would allow them to be selected by examination ?-I do not think they could have the efficiency necessary by a University training in India.

32748. There is no University or institution in India which gives that education ?-No.

- 82749. Do you think public opinion in the Provinces would support this scheme you have haid before us ?—I think so.

82750. Do you speak in this case as a representative of Sind?-No, I would not go to that extent, but I think the majority that I have seen and consulted on the point would support

32751. All over the Bombay Presidency or

particularly in Sind ?-In Sind

82752. Do you belong to Sind ?-1 do. 82753. Will you tell me what you are ?-I am a Zorosstrian, commonly known as a Parsi

\$2754. And a resident in Sind !-Yes.

32755. And you think, on the whole, moderate opinion in Sind would support this scheme of yours ?-Yes. 32756. (Mr. Chaubal.) May I ask you what

your University education has been?-I have had no University education. I had private tuition under an English lady in my early age and atterwards I joined one of the High Schools. 32757. Did you go in for the Matriculation

Examination?-Yes, but I dropped it, because I had to attend to my father's business.

32758. Your reflections on the curriculum of the University examinations in India, as to its being insufficient and defective, are all without having had practical acquaintance with University education. You are not in a position from your own experience to know about the curriculum of the University education here if you have never gone through your Matriculation examination ?-Those who have followed the University curriculum with whom I come in contact induce me to give my opinion in that form,

32759. It is not from any personal experi-ence of that corriculum that you say that?— It is from personal experience, I think, 32760. You said to the Chairman in answer

to a question that you want the curriculum widened by adding some subjects. Will you who are the subjects you wish to be added to the present curriculum so that it will come up to your standard of University education?—I did not make any suggestion of adding subjects.

32761. I thought you said the subjects were

to be less ?-No.

32762. (Chairman.) I asked you if you considered the curricula to be complete and I thought you said they were incomplete?-I did not mean that they were insufficient.

32763. (Mr. Chaubal.) What has been your 32703. (air. Casson:) what has been your subsequent career?—I am a merchant in Karsoni, I have devoted my life to public duties and have been a Special Magistrate since 1892.

32764. As a part of your public duties have on been interesting yourself in education in Sind, going about amongst the schools?-For a

short while I was on the Municipal School Board. 32765. As Commissioner?—As Municipal

32766. One of your answers was that you are opposed to simultaneous examinations, because you think the Service would be swamped by one community, and when you were asked what community, you said, the Hindus ?-Yes, and I

have given an instance. 32767. Therefore, I suppose when, in order to cure that, you recommend the system of

continued.

nomination, you would naturally object to Hindus being nominated?—I do not say that. I do not object to Hindus being nominated if

they are fit and proper. \$2768. But you will not have any repre-

sentation of classes and communities?-If he is selected certainly he may go on-

\$2769. Supposing the greater portion of the selections fall to the lot of the unfortunate Hindus, what then?-It is better for them. I suppose.

32770. Better for them, but not better for the country according to your opinion?-As I said, there is heartburning on our side.

32771. With regard to that heartburning. turning to your answer to question (54), I want to know something about this unequal distribution of posts in the different communities. What do you think it is due to? Has it been

promoted by Government?—No.
32772. What has brought this about?—I attribute it to the Hindus possessing greater intelligence than the Muhammadana

32773. Take, for instance, the second head of our classifications. Out of 17 Sub-Judgeships,

15 are held by Hindus?-Yes. 32774. You want to see that corrected?-No. I simply want to tell you that all these appointments are swamped by Hindus.

32775. I gather so from your mention of the fact that 15 out of 17 are Hindus. You say that has been brought about by the Hindus being of higher intelligence than the others?-

32776. What is the object of stating it if you do not wish it to be corrected? Do you desire that instead of 15 being Eindus half the number or one-fourth might be Hindus, and the rest might be of other communities ?-I would certainly give some sort of inducement to Muhammadaus and other communities if they are found fit for it-

32777. But you do not imply that they are at present fit and neglected ?—No.

\$2778. Therefore if there are less Muhammadaus and other communities it is the fault of those communities ?-Yes.

32779. And every encouragement should be given to those communities to educate themselves and make themselves fit and then claim Government appointments?-Yes. I should give facility and encouragement to the backward classes.

82780. But until they have made themselves fit you would not advocate their being brought in simply because they represented the community?—If sufficient facility is given I am sure they would come forward. 32781. What do you call sufficient facility?

Are there any obstacles in the way of these communities at present educating themselves? —I would not say there were any obstacles, 32782. They have got less facilities than Hindus have?—No.

32783. You want your nomination to be one man from each Province ?-Yes.

32784. You recommend a combined nomination and examination and your nomination is to

precede the examination, is it not ?-Yes. of

32785. What kind of persons should be nominated?—People who have had University

education and training. 32786. People who have had the present defective University education?-How do you mean defective education?

32787. You have stated that the present University education is defective ?-I said. it is not a sufficient test.

32788. Then, those who have come up by that insufficient test should be nominated and subjected to a further examination? However, it does not matter. May I know roughly, for my own information, what qualities you expect to be discovered in a personal interview of an hour or half-an-hour by your Selection Board? Supposing, ten candidates appeared before that Board and you were on that Board, what would you do if ton candidates presented themselves before you for inspection ?—I should look at the candidate's ability, his training, and his physical condition.

32789. How would you do it so far as character, training and driving power are concarned? For instance, how will you test his driving power by seeing him?-He will come in with some sort of credentials and certificates.

32790. So that, you are going to judge about his driving power from the testimonials he brings?—And his training.

32791. How will you discover the training by inspection?—You cannot go into all these matters in half an hour.

32792. For how long would you interview each candidate?—The Members of the Board will have to find out that.

\$2733. How long would the inspection last? -I do not know how long the Members would take; it is for them to find out.

32794. You say, in answer to question (27) that the class of posts listed is generally suitable but additions might advantageously be made to it. What you mean, I suppose, is that the particular kind of post which is now left open to the Provincial Civil Service is proper?—Yes.

32795. But that the number of posts should be increased. That is to say, I gather you consider the class of posts to be all right but you want a greater number?-Certainly.

32796. Why do you say that the class of posts is suitable?—I said that additions might be advantageously made in the Bombay Presidency and Sind.

32797. Do you mean that instead of four there should be a larger number of listed posts? -Yes.

32798. That is all ?-Yes.

\$2799. But then that raises the question I put to you as to the particular class of 'posts, sey Judgeships and Collectorships, that you consider are suitable. Judgeships and Collectorships, that you consider are suitable. Judgeships and Collectorships you consider are suitable?—Yes.

32800. And you do not want any addition to be made to those?-No.

Continued.

32801. May I ask whether you are aware of any other classes of posts in the Civil Service

cadre, or do they only consist of Collectorshins and Judgeships?-There are the posts of Underand angesnips — there are the posts of Order-Secretary to Government, Assistant Settlement Officer, Assistant to the Director of the Land Record, and others that I have given in my written answers.

32802. Is that in the Civil Service cadre, in the schedule to the Act ?- I think so.

32803. Secretary to Government?-Yes. Under-Secretary.

32804, The Small Cause Court Judgeships are not in the cadre, are they ?-No.

\$2805. So far as these Secretaryships and other posts go, they are posts of a different class from the present which you would like to see added ?- Yes.

32806. It is not only that you want the number to be increased, but also the class of posts ?-Yes 32807. (Mr. Gokhale.) You are a nominated

member of the Bombay Council, are you not ?-

32808. You were nominated last January ?-

82809. And you, are a Parsi?-I am, as I said before.

\$2810. You say, in your answer to the question with regard to simultaneous examinations community will practically carry away all the prizes, and that is the Hindus?—It is true in Sind.

32811. Can you tell me how you think the Parsis will fare in an open competitive examination ?-I do not think they will come out any better than the Hindus, You must remember, that there are hardly a thousand Parsis to compare with hundreds of thousands of Hindus.

32812. But, we are talking of simultaneous. examinations for the whole country, and you must take the communities in the country as they exist?—I sm talking about my part of the country. On the other side perhaps Muhammadans may be leading, but I do not know.

32813. Taking the Presidency of Bombay, how do you think the Parsis will fare there ?-I know nothing about the Bombay Presidency.

\$2814. You do not know Bombay at all?-Not much.

\$2815. Do you not know anything about the Parsis in Bombay ?-Not much.

32816. Have you ever considered the results of the University examinations in Bombay ?-Sometimes I have done so,

. 32817. Have you not noticed that the Parsis more than hold their own in all University examinations?-Not so much as the Hindus do I think.

32818. Have you never noticed, by looking at the lists, that they do even better than the Hindus ?- I have told you I do not belong to his side.

32819. Have you never heard the complaint that the Parsis have more than their share of Government offices in Bombay?-They must be

very capable then. 32820. Have you never heard that com-claint?—No; it has not been brought to my

knowledge, 32821. I wanted to know why you specially mentioned the Hindus?—I gave an instance, a fact; it is not my own guess work but is the

result of a fact. If you know anything of your own community you will see that in an open competitive examination your community will more than hold its own, and, therefore, you might as well mention the Parsis as the Hindus are likely to carry away the prizes of the competitive examination?—I cannot say that

32823. You say in your answer to the question with regard to a separate examination that the present University examinations system is not really an efficient test of education. I did not quite hear what you said, but I believe you have already said in answer to a question of Mr. Chaubal's, that you have no personal experience of University education ?-I do not see any pecessity of repeating the same answers I have given to the Chairman and to Mr. Chaubal.

32824. I am very sorry, but you must answer my questions. Did I correctly understand you when I thought you said to Mr. Chaubal that you had no direct personal experience of University education?—I said my opinion was based on seeing people who had had a University training.

32825. Have you any direct personal experi-ence of University education?—No; I said

32826. Your opinion has not got behind it the weight of practical experience?-You may take it in any light you like.

32827. Even if the University examinations are no test of education as such, what has the question of a separate examination for the Indian Civil Service to do with University examinations? The question here is: If a separate examination, was instituted to recruit men for the Indian Civil Service in India, what would be your objection to that? The University examinations may be no test, but a separate examination instituted by the Government might be a full test. Why do you say that because the University examinations are no test, therefore a separate examination should not be instituted ?-I should very much like to know on what lines those examinations may be held.

\$2828. It would be for you to suggest that? -I am not prepared to suggest that at this moment.

32829. How can you condemn the idea of a separate examination without considering it in all its aspects? It is possible to institute a separate examination which may be better than the University examinations which you are told are so defective?-I am not prepared to give you that answer now.

32830. I want to understand your scheme about this 25 per cent. You say that you would

Continued.

reserve 15 per cent, of the vacancies in the Indian Civil Service for Indians?- Yes. 32831. And at the same time you give an

example of five vacancies to be filled up in India. Is that based on a consideration of the present numbers, or is it merely some figure taken haphazard?—Hapbazard. 32832. We will consider the present number

of vacancies as being about 55 to 60 on an average and take the rough figure of 60. Out of that you would reserve 15 places for Indians?

-Yes 32833. About three men on an average get

in by the London door ?—Yes. 32834. You would include them among your

25 per cent ?-Yes.

32835. So that 12 vacancies would fall due in India and for these you would require nominations from the various Local Governments. Say there are 12 vacancies to be filled, how many nominations would you have in India from the different Local Governments, because everybody who gets nominated may not pass, and therefore the number of candidates must be larger than the number of vacancies?--If there are 12 vacancies I should certainly say about 48.

32886. Is the examination to be as hard as the Civil Service examination or is it to be an easier examination ?-I am not prepared to

answer that question.

32837. You have not considered that?—No. 32838. But, if the examination is not of the same standard, do not you anticipate that a man who got in by this door of combined nomination and examination will be regarded as inferior to the men who get in by the London door, if the examination is an easier examination? Why should it be easier?

32839. I asked you if it was to be of the same standard and you said you did not know ?-It

ought to be of the same standard.

32840. So that, it will have to be an examination of the same standard as the Indian Civil Service examination?—Yes, I think so.

32841. What is to be the status of the men recruited here; are they to be exactly on a footing of equality with the men recruited in England or are they to be on a lower level ?-On the same equality.

82842. Will you send them to England after they are recruited?—Yes.

\$28.3. And you would have them exactly on the same footing ?-I would send them to England if the financial position permitted, but I would not ask Government to give them all the expenses and also pay for the training.

32844. Surely, you do not mean to say that you would leave it to the option of each man to say whether he can afford to go or not?— I am not prepared to ask Government to dofray their expenses while they are taking their training. 82845. I quite understand that, but would

not you insist on every man who is recruited in this way going to England necessarily if he wants to enter the Service?—Yes.

32846. Therefore, going to England for a certain period would be a necessary part of your scheme ?—Yes.

32847. Otherwise, they would be further handicapped with regard to their equality with he European members ?—Quite so.

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32848. (Mr. Sly.) How many years have rou been resident in Sind?—I was born in Karachi in Sind.

32849. Do you come in contact with Indian

civilians in Sind ?-I may say that from a young age I have come in contact with them. 32850. Can you give us any opinion as to

whother, as a general rule, they are able to converse in the vernacular with the people of Sind?-I have seen some of the Collectors and Commissioners making speeches in Sindi, and I Condingstoners as that they were in any way faulty in delivery or in any way less than an ordinary Hindu would be. They are most capable in their knowledge of the vernacular. I can give you instances if you like.

32851. I do not think we want any instances. Have you been with a Collector in camp at all ?-I have not been living with them in camp, but I have beard accounts from the mouths of Indians themselves saying with what sympathy and what tact they dealt with the

masses of the people there.

32852. Can you tell us whether, as a matter of fact, while he is in camp the officer comes at all in touch with the people or whether they are all kept away from him?—I should say they have been moving from early morning till about Il, as I have been told by the Indians themselves, from village to village and from hut to serves, from vinings to vinings and rion line to hut, making their official inspection, at the same time keeping in touch with the poor class of cultivators. Not only that, but a word of praise must be given to their wives, who also devote most of their time to helping their husbands, moving about carrying medicines and things, which I do not think any native official would ever dream of doing.
32853. Are you a Barrister or connected
with the Law Courts at all?—No, I am not.

32854. You do not know anything about the procedure in Law Courts ?- In a very small way. I am an Honorary Magistrate, one of the great unpaids.

32855. (Mr. Fisher.) Do you think it important that Indian members of the Civil Service should be men of good family ?- Certainly, I do. 32856. In your scheme of nomination would you propose that the question of a man's family should be investigated?—If he is found capable, 32857. Would you not think it essential ?-

No. I might say the same thing for the British, You think it is desirable but not essential?-I do not think it is. If you were to go about giving precedence to one nationality, you might have to do it in the case of the other

nationality. Can you tell me whether the Diwans

and principal officials of Native States are invariably men of good family ?-I cannot say

32860. (Mr. Madge.) Have you moved about much among the masses, the cultivators and the poorer classes of Indians in your Pro-vince?—Yes.

32861. So far as you are able to judge, do you think their general interests run in the same direction as those of the educated classes ?—No, I do not think so. The educated class aspire for something else, while the masses do not. The \_\_\_\_\_

aspiration is from the small number of the educated class but not from the masses.

23892. So for a yron are able to judge, if there should be any great difference, here you chestered in what direction the efforts of the Indian cirilian are mainly directed? A man is adways infloreded by his surroundings as to the steps he should take and how he should act, if there is any great difference between the interest of the masses generally and those of the educated class, here you noticed amongst preposable officials, individually, any tendency to giving greater attention to one class of interest than to another—No. I think the greater than to another—No.

attention is paid to the masses.

22803, You have said you think the
proportion of Indians should be limited to 25
per cent. So far as you know, is that the
general opinion of your Province, amongst the
masses ?—I think so.

32864. You have good reason to think so?

—Yes.

28865. In public life we often come across men of talent and obaractor, Parsis or any other race, and a wish is often expressed that some method could be devised of capturing such near for the Public Service because of the great advantage which would acrous. Hes any method occurred to by our for doing that ?—No.

32866. As regards the effect of polygany, to which you have referred, what would be the objection, on other than most grounds, to an actuarial calculation being made as to a man's premia, whether he has one wife or three or four?—That scheme requires a little thinking out, and I am not prepared to give you that anymer now.

32867. I do not want your opinion on that, because it is only a question for actuaries, but do you think it is possible, an actuary could work uit a scheme of that kind?—I am not prepared to say.

\$2865. You are a merchant and naturally have some commercial stake in the country?—
I think so, but it is not for me to say.

32869. Not only yourself but all the commercial classes, European and Indian, here a commercial stake in the country?—Do think that if the British tone of the administration were altered in any way it would alreo commercial confidence in the Government?—Yes, absolute.

32870. Do you think that the investment of capital in commercial enterprise has increased the prosperity of the country?—Yes, it has certainly.

32871. Has it also raised the condition of the

masses ?—Yes.
32872. And provided employment for numbers of people in factories, and mines?—Yes.
Look at the port of Karachi and the industries

32873. And, you think that if there were any change in the tone of the administration commercial confidence might be affected?—Absolutely affected.

3884. In paragraph 26 you say, you wish communities to be represented, but may you not muonassiously be thinking rather of the interests of individuals than of kope of the country generally? The Government would to get the best material it can from any source in the interests of the country, and if you take into consideration the country and if you take into consideration the country and interests than of the interests of the country at large ?—I think so.

33875. (Mr. Jeglebar.) In answer to question (63) you say, speaking of the Provincial Olivil Sorvice: "Date blot the process of selection for these appointments be of the most rigid nature and sroid the selection of men who will be nothing else but 'Munshis' to the end of their days." What do you mean by that expression —It they had not this rigid test they might be nothing but Munshis, by which I mean quill-drivers or olork.

32876. You would reject men who would only remain clerks?—Yes.

(The witness withdrew.)

Narsine Chintaman Keimar, Esq., Vice-President, Poons City Municipality.

Written Answers relating to the Indian Civil Service.

\$2297 (I). What is your experience of the working of the present system of recomment by open competitive examination in Bagland for the Indian Givil Savrice? Do you accept it as generally assistancy in principle?—Yes, So far as English boys are concerned and as far as they may be coupled in India I necept the present system of recruitment to the Indian Givil Service by completion commission as generally astistancy in principle. The Bagitah Indian Civil Service non are as a rule fronthese of some English University. Among the Bombay Civil Servanta, for instance, about 75 per cent. of the European Givilians are Graduates. India perhaps does not get Begish men of really fint-class education from Bagland. But, the Civil Service in Indian on the part can never heave anything enflichedly attractive to offer to such first-class men.

ings for them in England tiself, and we cannot expect, therefore, that we shall always get first-class men from Beginda. But, on the whole, the Ludian Civil Service generally gets such men as are able to discharge their duties in an efficient manner. I have indeed heard it said that latterly boys of good Englais framities are not so much extracted to the Indian Civil Service as before. But I am not indicate to attach much importance to that complaint. There is much to be said in farour also of Indians who may have received training at an English University, obtained a first-hand acquirantence with the social and political institutions of Bugland—though for a short period and at a young age—and commanded success in open competition with English boys and their own ground. Even almost one of the Indian Civil Service are granted to be had in India, I should still well that those boys, whose parents could afford the arpeais, go to England and

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at the Iudian examination. Such boys would indeed have to take great risk in point of expenditure. But they would be amply compensated therefor otherwise.

32878 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Faulty in point of (a) Syllabus and (b) Training of probationers.

32379 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend ?-Certainly not. In my opinion the present system of the Indian Civil Service competitive examination is unsuitable in many respects to the Natives of India. The unsuitability of the examination to the Natives of India arises from the following grounds :-- (i) Age .- The Indian parents have to make up their mind as to sending out their boys to England for the Indian Civil Service at an early age of the boys. In many cases they cannot wait till the boys have even graduated and so given adequate evidence of their capacity. With the age for the Matriculation in India being fixed at 16 completed, and the University course for the B.A. examination being extended to 4 years, a boy cannot graduate before completing his 20th year. He can pass his M.A. in no case before his 22nd year. This makes it impossible for Indian boys to take all the chances allowed for passing the Indian Civil Service examination. (ii) Religious prejudices against going to England,-These may be unreasonable but have to be taken into account as an actually restraining cause. (iii) Cost. - The cost of sending a boy to England for the Indian Civil Service examination generally comes to about 12,000 rupees. Very few Indian parents can afford this. The hiatus between brains and wealth is greater in India than anywhere else, (iv) Risks of going out of the native country. These are many indeed, including constitutional ill-health, incompatibility of a foreign climate, want of supervision and affectionate care, temptations of undesirable company, etc. (v) Inequality of competition .- English boys have all the corresponding advantages on their side, and the advantages also of (1) Being able to use their mother-tongue for their stadies. (3) General suitability of the environment to their studies and other pursuits during the period of their studies.

2889 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Cell Services with that for the Indian Cell Services to its not to the advantage of Indian interest? Please give year seases F-Noh escenarily. I do not think there is any particular advantage to India in the combination of the open competitive examination for the Home and Colonial Civil Services with the open competitive examination for the Home and Colonial Civil Services. I can at think there is much that is common between the sease. The combination of the Hole and the Indian districtations. The combination would have some essenting and conservation at least if the Indian people could enter and centle in the Colonies with the same scenarios are well on I Great Britan. A common examination may have the result of inferior Englishmen being assigned for the Indian Service, after the superior men have elected to join the Home and Colonial Services.

32881 (5). If you do not consider the present accost (d). If you as not consider the present system of recurrishment by an open competitive examination to be satisfactory in principle, please satis wint alternative you would propose ?—Re-cruitment in Engiand and India by competitive continuation. The present system is satisfactory so far as English boys are concerned; and I have no alternative to more floor their units. so fat as suggest only are contained, and have no alternative to suggest from their point of view. But it is unsatisfactory for the Indian boys; and from their point of view the only feasible alternatives would be the following: (1) Simultaneous examination of an identical nature in Singland and India at one and the same time, the successful candidates at both the examinations being pooled up together, arranged according to merit and taken up for service in the order of merit. (2) Separate examination in India varying in studies and other conditions according to the local circumstances of India, but the successful candidates in England and India being pooled up as in (1). (3) Supplementary exemination in India.—This assumes that a certain number of posts will be fixed to be given to Indians each year and the examination will decide by competition what boys will be taken to make up that number if an adequate number has not been restuited in England. (4) Allersate examinations in England and India.—The present Civil Service Examination to be held, say one year in England and in the next year to be held in India. Roglish as well as Indian boys to be admitted to both the examinations; the scheme of studies an i the organisation of examination to be the same; only the centre of examination to be shifted from England to India once in two years or three years corresponding to the propor-tion between India-recruited boys to Englandrecruited boys, which Government may deem fit to fix. Out of these four alternatives I prefer No. (1) as the most suitable and equitable

32362 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I want simultaneous examinations. I heartily support the proposal of holding a simultaneous examination in India and England, open in both cases to all natural-born subjects open in cost cases to an insuran-toru sucjects of His Majesty. The arrangement is best calculated to do justice to the candidates of all nationalities. (f) It takes nothing away from English boys. (2) It gives to the Indian boys what they do not possess but should be given to them in all fairness. (3) It leaves the door open both ways, and it does not compel Indian or English boys to give up any course which they may think more suitable or any ideal which they may think more exalted for them to attain. I am sure that even when simultaneous examinations are held in India, the more rich among the Indian parents would still continue to send their boys to compete at the examination to be held in England because of the general advantages to be obtained

becomes a many the port opinion with regard to filling a fixed proportion of the regard to filling a fixed proportion of the vacancies in the Indian Civil Service Caire by Natives of India, recruited by means of a sparate examination in India, or by means of separate examination in India, or by means of opportunes in India? If you favour such a India? If you favour such as

12th March 1913.]

scheme, what proportion do you recommend ?— I do not want separate examination or examinations. I cannot recommend a separate examination in India; much less a separate examination in each province or group of provinces. My reasons are :- A separate examination assumes a different standard of intellect or objective usefulness. But it is admitted that Indian boys could fairly well compete with English boys in an examination like the Indian Civil Service examination. It is often said that if simultaneous examinations are held in India. the Indian boys would swamp the field. But they could not swamp the field unless they passed in large numbers; and they could not pass in large numbers unless they possessed a mental equipment equal in quality to that of English boys. But, the examination in India should not be more difficult than that in Eng land; because such unfairness is not justifiable and not necessary. The examination in India, however, need not be less difficult or more easy than that in England; because, even supposing the Indian boys are inferior in intellect or mental equipment to the English boys, still I don't want a demoralising or degrading premium to be put upon Indian boys. It will not be selfrespectful for Indians to ask for or to reap the benefits of such special privileges. As regards the different Indian Provinces, the educational facilities in them have by this time come up well nigh to a degree of equality. At any rate, none of the Provinces will, I am sure. complain of a common examination held in India. In fact, an all-India competition would he hailed as an all-India intellectual tournament in which each Province may have an opportunity to win the laurels now and then. I can even give an instance in which this is already appening, though on a small scale. The Poona Engineering College gives facilities for education in Engineering which are not equally available in other Provinces. Till some years ago, the first two places in the ranks of the successful L.C.E.'s were highly coveted, the first place making the fortunete L.C.E. at once an Assistant Engineer on Rs. 250 and a member of the Imperial Service entitled to equal rank, precedence and promotion with Engineers recruited at the Coopers Hill College. That being so, you could find students from Sindh, Bengal and Madras, studying together at the College and competing with one another in a The fortunes of success of course good spirit often varied; but that gave no occasion for complaint or heart-burning. Even at present, Bengal leads the Provinces in the matter of taking advantage of the open competitive Indian Civil Service examination in England. But, the other Provinces know that it would be unmanly for them to complain against Bengal and ask for the reservation of a particular proportion of the posts for each Province. Even supposing that the educational development of the different Provinces varies, it cannot be a matter of inter-provincial jealousy. The non-regulation Provinces, o.g., know that their status is different from that of the regulation Provinces; and they know they can hope to work up to the latter only very can nope to work up to any server only very gradually. So, also in the case of educational facilities. The educated classes in any pro-vince will not be found to complain of a single simultaneous examination. As for the educa-

tionally backward classes, though perhaps high in social status, they need not be minded seriously in this matter. The claims of such people will of course require special treatment; and personally I have no objection if Govern-ment once for all reserve a small definite percentage of appointments in the services for them and square up matters with them as best they could. But, the angularities or deficiencies of one section of the people need not deter Government from granting the educated classes throughout the country the fair field they The framing of a different syllabus, a different set of examiners and a different system. of examination for each Province is bound to be embarrassing. The trouble would certainly notbe commensurate with the gain. As I advocate a simultaneous examination in India and the pooling-up of successful candidates according to merit, I do not think it is necessary to fix a proportion for or impose a limitation upon filling vacancies in the Indian Civil Service cadre in England or in India.

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32884 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of. India would be selected in India for admission to the Indian Civil Service by means of (c) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recom-mend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made?. If so, how would you give effect to this principle?-Examination only. In view of my reply to questions (5) to (7), it is unnecessary for me to answer this question. It is certainly desirable if it were possible that the different classes and communities in India should be equally repre-sented in the services. But, that only means that it is desirable that the different classes and communities in India should come abreast of one another in point of education. That of course is bound to come to pass in course of In the meanwhile, every class and community must remain content with that sharein the services which could be given to it, without sacrificing efficiency and without forswearing the principle which makes merit and ability Ĭŧ, alone the recognised passport to service. however, education is not to be regarded as the main factor of efficiency and the distribution of the loaves and fishes of service is to be made only so as to secure popular goodwill and contentment, then the argument must apply with equal forceto the case of Europeans, who monopolise nearly the of the posts in the superior service. Government are welcome to choose any guiding principle—either education or popular satis-faction. But, they must not be inconsistent with themselves and vary the principle only to suit their political convenience. No one can have any faith in deliciously confused arrangements, much less in principles which lead but to arbitrary conduct. Class representation in service is a fetish. But, if we must worship it, let us worship it whole-heartedly, even without sparing the European element in the service.

32885 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be oligible

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for appointment in England?—Yes; certainly, Even when part recruitment of the Indian Civil Service by Natives of India is allowed to be made in India itself, Natives of India should still be cligible for appointment in England as

38366 (10). Would you regard any system of sending in John which you may recommend for young-men who are "Neitive of Ludie," as being in lies of, or as supplementary to, the present system of tromoting to listed ports officers of the Provincial Civil Service? If the former, what afterstion, if any, would you resommend in the conditions governing the Provincial Civil Service? If the former, what of the provincial civil Service is a considerable of the provincial Civil Service is to see the provincial Civil Service in the conditions of a soly supplementary. The system of selection by simultaneous constitution angusted chose is to be regarded as supplementary to the system of promoting, to listed prote, officers of the Provincial Civil Service.

23887 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?— Yes; only for part recruitment. So far as res; only for part recruitment. So far as Civilians may be appointed to the Judicial Service, the same system of recruitment as at present, vis., through the Indian Civil Service examination, in the first instance, will, I think, serve the purpose very well. Even a Judge in India must be a man of general culture and breadth of view first, and a man of special legal training and acumen afterwards. Then, again, it is conceivable that an interchange of executive and judicial duties may take place at either end of the Civil Service. A Judge will be an Assistant Collector when he begins the service, and his departmental knowledge will only add to and not detract from his efficiency as a Judge. On the other hand, a High Court Judge may at the end of his career be called upon to assume the duties of a member of the Executive Council. A Judge with an independent charge has often to do responsible executive work as supervisor and director of the Court machinery under his charge, just as a Collector is at the same time a District Magistrate, and even a Sessions Judge, when he is a Political Agent in charge of a State. To begin with, a European member of the higher Judicial service should, therefore, have passed the Indian Civil Service examination. I am in favour of appointing a few Indian Civil Service men to be District and High Court Judges; but these must have (i) passed Depart-mental examinations in law to be specially instituted for them [mde my reply to questions (37)-(38)] and also (ii) served a course of apprenticeship in Judicial work as Sub-Judges according to a scheme to be fixed for each Province by the High Court of that Province. But, I would by no means confine the recruitment for the higher Judicial Service only to Civilians, for it would be a distinct gain to the cause of judicial efficiency, if selected members of the Bar or High Court Pleaders were appointed to be High Court or District Judges. I wish to add that though Civilians may be appointed to the Judicial Service subject to these conditions, still I am strongly opposed to exclusively reserving any posts in the judicial line for them. I have in my mind specially the present untenable system which reserves a certain number of the High Court Judgeships, and practically all the

District Judgeships, exclusively for Indian Civil Service men. Recruitment for the Higher Judicial Service should also be made from the Provincial Judicial service, in which men could be often found who are as able and competent as Civilians.

as Griilians.

\$2888 (19.) Ars you sakinfied with his presentstatutory definition of the term "Natives of
S2888 (19.) Ars you sakinfied with his presentstatutory definition of the fever-ment of India
Act, 1870 (38 Vist. c. 3), as including "any
presso here and domislied within the Dominicas
of His Migiesty in India of parents habitually
resident in India, and not established there for
temporary purposes only," irrespective of
whether such persons are of comised Hadian
decent, or of unived European and Indian
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to make in regard to this matter?—Skipidamendment necede. I think the definitionmetal amendment to come to recommend the other
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Indian parents, though born outside India, 2886 (13). If the system of recruitment by open competitive examination in Engiand is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—Same as now. The present age limits are as they ought to be so far as English boys are concerned.

33590 (14). What is your opinion is the most cuttable age at which justic drillians recruited in Boeland should common this official duties in India I—Same as now. The age at which junic Civilians at present arrive in India is quite suitable for the purpose. It is an age at which as average ann nutsi enter upon a curser and begin to sure, and cutch more as therefore. O Civilian, who may be approach to be show the average. If a Civilian is unteril or impation it is not because he is young the policy to become of the efficient stromphare which he hogists to breathou our arrival in India.

\$293 [15]. What age-limits for the open competitive examination in England would best suit candinates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-bore subjects of India and for other natural-bore subjects of India entry. In consideration of the fact that the conditions of India holys are somewhat different from those of European boys, and for reasons stated in my reply to question (3), I think that the age limit for Indian boys appearing for the examination in England should be higher by at heast one year than that for European

\$2892 (16). What alterations, if any, do you recommend in the authorised spillatus of subjects and marks synearized spillatus of subjects and marks yeseribed for the open competitive examination 7—Addition of subjects of (a) Law, (b) Oriental studies. The present spillatus for any time respects. 1st. With regard to Regilith keps themselver—The present spillatus for the competitive casmination, affords only 18/171 chances, at the most, of Regilish byes studying anything that may even be distantly related to Incits. Sanshrit and Arabic Languages and Literatures are no doubt included among the 22 subjects prescribed for the competitive examination. But there are other subjects in the same list which carry far more marks and on he mastered with far more easy than Sanshrit and

continued.

Arabic, e.g., Lower Mathematics and Natural Science. Greek, Latin and Italian Languages and Literatures, again, have indeed their own value. But, in my opinion, the study of either Senskrit or Arabic, rather than Italian and Greek or Latin, which latter he has perhaps already studied to a certain extent at his school or college, is likely to make an English boy's education liberal in a true sense. Sanskrit and Arabic are the fountain heads of Indian culture and civilisation even of the present day. And in this connection, I would like to use as my argument the views of Professor Max-Muller who was a Civil Service himself for some time Commissioner. Professor Max-Muller held that though a small number of marks should be given for Sanskrit or Arabic at the first examination, still he was anxious that in the second examination high marks should be given for Sanskrit as the origin of nearly all the spoken languages of India. Max-Muller wished to see 1,000 marks for oriental languages divided into 800 marks for dreamar languages under that of for Sanskrit and 200 for one Vermenlar. 2nd. With regard to Indian boys.—The syllabus is extremely unfair. It includes as against-Sanskrit and Arabic, carrying in all only 1,600 marks, altogether 10 subjects relating to European Languages and Literatures, carrying in all over 5,000 marks, whereas the maximum number of marks that may be obtained is 6,900. Many English boys thus may or may not take up any subjects carrying more than 1.000 marks, that can afford some real common ground to the Indian boys for a fair competition with the English boys. The difficulty of the medium of a foreign language is, of course, a permanent outstanding feature of disadvantage which affects the whole competition in general. I would like to point out in this connection also another fact, viz., that the revision of the syllabus since 1906 has resulted in making unfairness more unfair still to the Indian boys, inasmuch as while the revision has resulted in increasing the value of Arabic and Sanskrit by only 600 marks in all, the value of the subjects of European Lenguages and Literatures has increased by no less than 1,600 marks. Evidently, therefore, the new syllabus renders the competition more unequal to the Indian boys, 3rd. General.—The syllabus makes very inadequate provision for the study of Law in general and Indian Law in particular, I know the period of probation is reduced to one year. But, I would take out Indian History (400 marks) from here and include it in the syllabus for the competitive examination. syllabus, as it stands, though it carries 2,000 marks, is in my opinion, not very heavy. Considering the fact that Indian Civil Service men, satering the test that Indian Civil Service mea, studying for the Final Examination, would be among the pick of the bunch of intellectual young men for that year, I would have no bestitation in ad-ling to it one or two papers on Indian Civil Law. As it is, the Givilinas have very poor grounding in Indian Law; and it is an injuvite to themselves and the people that they are allowed to be practically ignorant of law and legal practice, especially so when they are drafted to the judicial line.

32893 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—None, I am opposed to all differentiation in the subjects for the examination. I do want that the Indian I. O. S. man should be able to hold his head up an being fully the equal of the Buropean I. C. S. man. What is needed is not any pateonising differentiation between the studies of the two classes of candidates, but only the removal of injustice and inequality which does exist at present in certain other respects, exist at present in certain other respects, or candidates for the examination and the age of candidates for the examination. What I would only want is that the syllabus should have our arranged that English boys should have to stady more subjects, than at present, having an oriental interest, and that the ground for competition between them and the Indian boys should thus be equalised.

should thus be equalised, 32894 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, And if so, what posts and for what reasons?—Yes; about 50 for Bombay Presidency and similarly for whole India. If any satisfactory arrangements are made for the admission of Natives of India to an adequate extent into the Indian Civil Service, then only I am in favour of reserving certain posts for the Indian Civil Service men. Not otherwise, because in that Service men. Not otherwise, because in that case they will be practically reserved for Euro-peans. The following are the only posts which, in my opinion, may be reserved for the Indian Civil Service men of the Bombay Presidency, e.g., 1 Member of Council, 1 High Court Judge, 2 Commissioners, 3 Secretaries to Government, 1 Commissioner for Sindh, 1 Judicial Commis-sioner for Sindh, 1 Customs or Abkari Commissioner, 2 First Grade District Sessions Judges, 3 Second Grade District Sessions Judges, 6 Senior Collectors, 8 Junior Collectors, 6 First Assistant Collectors, 9 Second Assistant Collectors, 1 Legal Remembrancer, 1 Inspector General of Police, Director of Survey and Settlement, 3 Under Secretaries, Total 50. In my opinion, these 50 Civil Servants ought to be able to run and direct the administration efficiently and maintain the high tone of the service. It is misleading to say that the charge of one Civilian extends over so many hundred square miles and things of that sort; because administration over Indian people is a very easy matter, especially with the loyal assistance of the many expert head assistants and personal assistants in the different departments. A Civilian will be open to the charge of ingrati-

tado if he does ne't realily admit such assistance. \$2595 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the O'ril Administration? He to, to what proportion of the paste included in the Indian Civil Service coars do you consider that Natives of India might under present conditions properly be admitted Pool principle, no. As practical politics, 50 per cent. I do not think that any minimum, need be fixed for any proportion of European subjects of His Majesty being employed in the higher posts of the Givil Administration in India. Such a minimum is inconsistent with the spirit of the previous statutes and declarations by Sovereigns and by many a statesman in authority. The suggestion contained in the demand is; unwarranted in fact, From the demand for such a minimum, any one, who knows nothing about the real fact, is fittley to imagine that the Biuropean eaf need, is their the Biuropean.

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subjects of His Majesty are hard pressed in the matter of retaining the higher posts in their hands. No; not a bit of it. Talk of a minimum being fixed for Europeans, when they have already almost Arbis of the higher posts in their own hands! The figures published by Government in Lord Curzon's time, themselves conclusively prove it. Those that make the claim for such a minimum really only want the present unfair state of things, or something very near to it, to be continued for all time in future. But can we with propriety speak of a "minimum" being with propriety speak in it is minimum fixed for Europeans when they have or mean to have nearly fights of the higher posts! "Oh, let us only have at least follow; and let the Indians have the whole of the remaining fight if they like." Is not such a statement somewhat disingenuous? The time for making "the last stand in the trenches" against Indian aspirants has certainly not yet come. These have hardly appeared on the horizon and have not yet secured a foothold even there. In this connection I would use as my argument the views expressed by Sir Antony Macdonnell, in the Bengal Government's reply to the Government of India on the subject of the Parliamentary Resolution in favour of the simultaneous examinations. He says that it is neither possible nor advisable to fix the strength of the European element for al time or even for a generation of official life, and that if any definite proportion were fixed by a hard and fast rule, it would be prejudicial to the interests of both England and India. But if a minimum must be fixed at all, it must be fixed for the strength of the Indian element, "If any inference can be drawn from the past it is this, that the number of Natives of this country (India) employed in scheluled posts will increase while the number of Europeans will decrease. How far the increase will grow or the decrease prevail, it is impossible to say. It must depend on the capacity of Indians for administrative work and their loyalty to the Crown and their adherence to the British connection. greater and stronger these grow the more largely will the British Government employ Natives of India in high appointments." On principle, I am opposed to all such reservation. Natives of India Il now be found to be discharging the duties of offices at either end of the Civil administration ably and satisfactorily, from the Mamlatders and the Sub-judges right up to the posts of Members of the Executive Councils of the Governor, the Governor-General and the Secretary of State. That being so, I do not quite see how a claim for the reservation of any of the posts in the intermediate grades of the service for Europeaus is logical or otherwise tenable. The principle of close preserves and sanetums first created by the Statute of 1793 and partly maintained, so far as certain appointments are concerned, by the Statute of 1861, was completely knocked on the head by the generous knocked on the head by the generous Statute of 1870. The Executive Government, i.e., Secretary of State, has been given ful permission since then to appoint any Native of India, if qualified, to any place in the Service. And the Secretary of State has already admitted the Natives of India to be qualified enough to become members of his own Council and the Councils of the Governors and the Governor-General. It would be absurd, therefore, to lay down that Natives of India shall be

permanently kept out of certain or so many intermediate posts. Such exclusion means that the duties and functions of these posts are dependent for their efficient discharge upon certain mental and moral qualifications which no Native of India may ever hope to make his own! I would in this connection solicit a reference to the encom-iums passed upon Mr. S. P. Sinha, some time Law Member of the Government of India, by His Excellency Lord Minto, when Mr. Sinha resigned that post, and on the other hand the admissions publicly made by Mr. Sinha himself and a state of the could be found to be some time as a state of the could confidence put in him by Government in all affairs of State. And the same happy condition of things would be found to be obtainable if Indians were actually appointed to other posts as well. But, who has ever made the experiment in a fair manner? The Public Service Commission of 1886 itself had observed that the circumstances of the country and the social condition of the population change with extraordinary rapidity in India, and that absolute finality in any arrangement is not to be hoped for. And the circumstances have, as a matter of fact, so changed. The Commission itself could not have dreamt of the appointment of an Indian to be a member of the Governor's or Governor-General's or the State Secretary's Council. In the words of the Commission itself I would, therefore, plead that no general assump-tion be made that Natives are unfit for any or any number of executive or judicial charges, when they have had no sufficient opportunity of showing their capacity. I am for these Europeans. But, only as a matter of practical politics, I am prepared to agree to an understanding (but not a statutory declaration) that 50 per cent. of the total higher posts in the executive line of the higher service may be reserved for Europeans as the maximum for the present. But corresponding to this concession to the European service, I shall insist on a statutory guarantee that no less than the remaining 50 per cent posts shall be filled by Natives of India. Such a guarantee is necessary in view of the fact that no material advance has been made in respect of increasing the listed posts since 1898. Even in respect of appointing Natives to the posts declared as listed and open Natives, the understanding has not been carried out in its entirety. N. B.—In the judicial line it is not necessary to have even 5°) per cent. Buropeans. There the reservation need not go beyond 33 per cent.

See 36 (2). Do you accept as generally satisfactory in principle the present system under which valves of India are recruited for posts in the Indian Civil Service cadre p-rily through the maditud of an open competitive examination in Regisal, and partly by special arrangement in India, 7-Tec. A double recruitment is good on principle but defective in yeartice. For the special arrangements in India, over in force, with regard to the premution of Provincial Service men to the higher posts, have all the defects of the system of arbitrary selection and somination. The rules on the subject are too wages; and the working looks very much as if these were no rules on the subject.

32837 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if

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5. 60, what method of recruitment would you recommon It-Not stall. I am not in favour of the most of the stall stall and the stall stall stall stall stall stall stall stall stall stall stall stall been faired for a number of years and been found defective. It exhibited in practice most of the eyils of the system of nomination. The appointments made under that system have brought into discredit the Government who mude them, as also the class of people in whose interest they were said to be made. The system

led both to inefficiency and discontent, 32898 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No, except in special cases. I am not in favour of the system of recruiting military officers in India for posts in the Indian Civil Service, except in special cases where the peculiar nature of the work or the peculiar qualifications of particular military officers may justify the departure. Indeed, I have before my mind's eye some remarkable instances in which military officers proved themselves even more tactful and capable administrators than civilians. But, I cannot on the strength of these instances advocate the appointment of military officers for posts in the Indian Civil Service cadre indiscriminately. Martial rule may conceivably be sometimes a blessing to the locality or the people under it, but the higher mind instinctively rebels against a state of things in which civil law and its refinements are put under a ban. A mili-tary officer may be used and may even do well, very much like a change-bowser in a match; for he sometimes brings with him a charming freshness of mind and affords welcome variety to a civilian-ridden people. But, the best civilian will be better than the best military officer as a rule for civil administration. The question, however, has very little practical interest in Regulation Provinces.

interest in Regulation Provinces.
38599 (28). Do you consider that such a system should be restricted to the recruitment of military offices; or extended to the recruitment of selected officers from other Indian services ?— Same as to (22). I should favour the recruitment of selected officers from other Indian Services also only for the reason and only to the extent mentioned in my reply to the previous question. But, in both cases, I would nathe the exception operative so as to give the benefit both to the Indian as well as European Officers.

Jodinn as well as Burupeau Officers.
25200 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Livil Service, are dealared to be posts (ordinarily termed listed posts) to which members of the Indian Livil Service are properly be appointed?—Yes; good so far as it goes. I am in favour of the system. The higher posts in the Civil Service are the legitimate prizes to which members of the Provincial Civil Service may reasonably aspire. Competitive carminations have of course their competitive carminations have of course their and recruitment to a large majority of posts in the Civil Service must be made driven the contract of the Civil Service must be made driven as men in the Civil Service who have defined the contract of

appear for the Indian Civil Service examination. may still prove their merits and ebility with the aid of their natural parts and valuable experience acquired in the course of official duties. Cases of this kind will necessarily be rare, but in those os the And with necessary of the out in those cases it will be a gain to the State to appoint them to the higher posts: And, from this point of view, I would keep the field as wide for them as possible. I mean I will not restrict their chances of promotion to only a few selected posts but extend them to any posts which a Civilian may be called upon to fill [subject to my reply to question (18)]. Starting on a low salary at the beginning of their career they would be fortunate if they could just cross the fringe of the higher service; but there is much to be said in favour of an arrangement which may keep the horizon of the ambition of a Provincial Service man almost unbounded. Take the case of our Native Sub-Judges. Some of our 1st class Sub-Judges are indeed quite competent to discharge the duties of District Judges. Many of these do actually perform those duties when invested with appellate powers. But the poor people never get the fat salaries of European District Judges; that is all. And that is exactly where bitterness comes in: Is there any reasonable difference, again, between the work of Assistant Collectors and of Deputy Collectors? Both of them have the same executive and judicial powers; and in practice both can be and are often exchanged for one another freely and without the fact being even known. The difference between the spelling of the word "Deputy" and "Assistant" alone makes a world-wide difference between their pay and their career. The Deputy Collector as a rule ends where the Assistant Collector begins! And yet you must remember that while the Assistant Collector is a raw and inpatient youth, learning his business by committing mistakes, just as a petted child learns to speak by lisping and stammering, the Deputy Collector is a man of a settled mind below to heater is a man of a seatest mind and an experience that has cracked in his-time all the variety of hard note of knotty administration.

23901 (25). Are you satisfied with the present rule which prescribes that Matives of India other than members of the Provincial Givil Service or Statutory Civilians may be appointed to onequater of the listed posts?—No. No one whohas not passed the Indian Givil Service examination or is not a member of the Provincial Service should be appointed to any of the listed posts. The dispensation of patronage and the gratification of a special expectations should spend themselves in making nonmantions to the Provincial Service for which provision may be made under the Provincial Service Blues. Fieldmy reply to question (54) under the Provincial Service.

32502 (26). Are you satisfied with the system by which most of the interior listed posts are merged in the Provincial Civil Service P—No. I am not satisfied with the system. The purpose of listing posts is not to degrade them but to exalt Provincial Service men to the rank of the Iudian Oivil Service men.

turough this open door. But, there may be and — 39903 (27). Is the class of posts listed suitable? often are men in the Provincial Service who, if not, in what directions would you suggest when their circumstances did not allow them to 'changes, and why.?—Yes, generally. The class

Mr. NARSINE CHINTARIAN KELBAR.

Continued.

of posts listed is generally suitable; but the number is very small,

32904 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions ?-Along with answers to the toregoing questions:—along with some other presidencies, Bombay has fared ill in respect of the share of high appointments falling to the lot of Natives. The number of charges ordinarily held by Civilians is being steadily increased. But, the proportion of steadily increased. But, the proportion of Natives holding them has not increased in the same ratio. In 1894, the total number of Covenanted Civilians in Bombay was 118, and the posts listed for transfer to the Provincial Service was 18. In 1912, the total strength of the Civilians in Bombay was 181 and yet the number of listed posts has remained the same; and even these 18 posts are not all at this day actually occupied by Natives, Out of the 18 originally listed posts, that of the Registrar of the High Court was one; but some years since Government have exased to appoint a Native to that post. No doubt some compensation has been iven to the Provincial Service in the form of a District Judgeship. But, there is a loss in point of the importance of the post inasmuch as the Registrarship is bound up with administrative work of a high order. The Registrar may be regarded to a certain extent as the Huzur of the District Courts. The post of the Talukdari Settlement Officer is another of the listed posts ; but it is at present held by a European. less to the State by this arrangement is obvious. Because a Civilian drawing satary and allowances to the extent of Rs. 1,785 has been engaged in discharging the duties of an office which could be and was actually administered for a number of years by a Deputy Collector drawing Rs. 800 as his salary. If we add together the 13 Eng-land-returned Indian Civil Service men, who hold their posts by virtue of incontestable right, the 2 Statutory Civilians who are the remnants of the old order of things and the 17 holders of listed places, the total of all the Native holders of the higher posts in the Civil Service of the Bombay Presidency comes to 32, which stands to the total number of European Civilians in the Presidency in the ratio of  $\frac{32}{185}$  or less than  $\frac{1}{5}$ . But if we omit from this calculation the Englandreturned Indian Civilians, there remain only 19 Native holders of high posts; and the ratio therefore comes down to 100 or 13. Even keeping the obnexious Brahman out of consideration it will have to be admitted on these figures that the proportion of European holders of high posts to those of all other sections of His Majesty's Indian subjects put together, is an excessively high one. And even, if we give the question of the employment of Natives in the Civil Service merely a monetary aspect, which it does not deserve, and whittle its importance down to only a question of loaves and fishes, it cannot be denied that it affords by itself a very grave demed that it affords by itself a very grave cause for discontent. As for the Provincial Service men holding the listed posts in the Bombay Presidency, these are only 17 out of 131. That gives a ratio of 'A nearly. This is obvirously nearly half of the ratio which we should have go, it either the old Statutory Civil Service rules or the recommendations of the Public Service Countriesion of 1888 better the Public Service Commission of 1886 had

remained in force. And to that extent that alternative would have been even more profitable to us. For 1 of 181 is 36 and 1 of 181 is 30. And according to these ratios, which did not take account of England-returned Native Civilians, we should have had 19 or at least 13 more Native bolders of higher posts in service than we have at present. The present ratio of A therefore stands self condemned. Not only is it inadequate in itself but even falls short, by a great measure, of the concession previously sanctioned. But, unforsunately, in this respect we have been bitterly experiencing the truth of the epigram that the Better is the enemy of the Good and the Worse is the friend of the Evil. The good is taken away from us because Government would have liked something better to be given to us, and the evil remained with us because we were to be saved from what was worse than that. In 1877 there were two plans in the field for bettering the lot of the Native; one the assignment of certain appointments for competition in In its, and second the institution of scholarships for students to go to England for a competition. The second plan was regarded as the better one and the first was given up. In the course of time second also was abandoned so that in the end it proved that we left the one and lost the other. Something similar happened also in the case of the Statutory Civil Service rules versus the Public Service Commission recommendations revers the final rules of Government on the subject. For seconding to the Statutory Civil Service rules India should have got by this time about 200 posts according to nonofficial calculation, and between 125 and 135 posts even according to official calculation according to the recommendations of the Public Service Commission about 1 of 800 Civil S rvice posts at this day, i.e., 135 posts should have been listed; but eventually according to the Government's orders of 1893 only 86 posts were listed for the whole of India excepting the Central Provinces; and to day we have only 93 posts sanctioned as listed. In fact, however, there are only 92 Indian holders of high posts out of about 1,300 posts.

32905 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergua pariod of probation before being a lmitted to the Service?-Yes. Even when simultaneous examinations come into being, the successful Indian candidates should be sent to England to pass

a probationary period there.
32906 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probatoners?

—Two years. Indian law, Vera cular, special subjects of administration. The probationary period should be two years. The course of study should consist of the following:-1s' year. subjects as now prescribed for the Final "xamination for the Indian Civil Service men minus Indian History plus two papers on Indian Civil Law, 2nd year. The study of some special subjects, at the choice and option of the candelate, such as will give him an in-light into the working of any one of the special departments of adminis-tration to which he may be called upon in the ordinary course of his career, or as a matter of special duty, e.g., the System of Land Tenures, Survey and Settlement and Town-planning; 12th March 1913.7

Educational Methods; Local Government; Sanitation; Charities and Poor Relief; Forest Conservancy; Agriculture Cottage Industries; Co-operation, etc., etc. An Indian Civil Service man being at the top of the service will necessarily have to concern himself in his time in a responsible way with many a special department. And in order that he may not remain at the mercy of his expert assistants he may be qualified in advance expert accessed in may be quantied in advance by study, if not by practical training, in the working and administration of special depart-ments for which facilities will be far more avail-

and prestige.
32907 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the

able to him in England or over the continent.

Such special training will add to his usefulness

subjects to his majesty? It so, prease state that you recommend?—
None. No. I don't want any differentiation.
22903 (32). Do you consider that the probationers' course of instruction could best be spent
in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?-In England, in the case of all equally. [Fide my reply to questions (29) and (30).]

32909 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

32910 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre? -No. I do not think the training during the probationary period should be left to the Provincial Governments.

32911 (85). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced? -Addition of (a) lessons in civility and (b)

oriental studies

32912 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. They should be made to pass examinations. I do not think that the European Civilians possess as much of the knowledge of the Vernaculars as they should. . I believe there are not even half a dozen Civilians in any of the Provinces who can read a current script with ease. That practically throws the responsibility for the disposal of all papers in the language of the District on the Chitnises, Chief Clerks or Sherishtadars, and prevents the officers themselves from coming to close quarters with details. In the Bombay Presidency the ignorance of the Civilians to read the Modi script of the Decean Districts has led to a gradual abolition of the Modi and the substitution of Balbodh, which is not fair to the genius of literary development

of the Deccan. The whole of the old Maratha historical literature and the whole of the system is indissolubly bound up with the Modi script, and the people of the Maharashtra bitterly feel that their favourite script is being destroyed simply in order that the Civilians may be spared the trouble to master it. This state of things could be remedied by setting a high standard of proficiency for the vernaculars in the Departmental examination, and by organising be regarded as unreasonably exacting when we consider that the administration of the Indian people is to be almost the whole business of a Civilian's life, and that the people have a right to expect that the officers governing them should be accessible to them in thought as well as in

continued.

32913 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members off the Indian Civil Service, distinguishing hetween recommendations applicable to all officers and to officers selected for the Judicial Branch ?-Compulsory examination with books. In my reply to question (16) I have already recommended the addition of Indian Civil Law as a subject of study for the Final Examinstion. Civilians should be called upon to make a choice between the Executive and the Judicial lines of service at an early stage. I would further recommend that before such choice is made, a sort of examination or test should be prescribed by which the High Court would be able to accept or reject candidates until further proof of an adequate knowledge of Indian Law and legal practice by the Civilian candidates. The High Court will be the proper authority to prescribe a course of study or apprenticeship for this test-or examination. I don't mean to say that the executive duties do not at all require a training of the intellect in law. But at any rate judicial duties require that training of a higher order. As things exist at present, Civilians drafted to the Judicial line may be able to learn the law while they are actually administering it; but not without material injury to the cause of justice, nor also without making themselves ridiculous at times in the eyes of the Bar and the people at large. As regards Civilians in the executive line, on Civilian should be appointed a District Magistrate unless and until the High Court, after inspection of his judicial work, recommends such appointment.

32914 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes; same as for LLB. Examination. For Civilians who elect to join the Judicial Service I for one would recommend an examination with books in the same subjects (except Jurisprudence and Roman Law) as are prescribed for the 1st and 2nd LLB, Examinations of the Bombay University, for instance. An examination with books would obviate cramming; and an average Civilian would, in my opinion, he able to pass such an examination with a study of only six to nine months, even concurrently with his regular official duties. It is not unreasonable to expect that a Judge should be able to know and apply the law at least as much as a Pleader practising

Mr. NARSINH CHENTAMAN KELKAR.

Continued

before "His Worship". It may not be defamation in law of a Judge to say that he is ignorant of law. But the accusation, if true is fact, ought certainly to render him unfit for a Judgeship.

\$2915 (39). Do you recommend any special training in subordinate jodicial posts, in India for officers selected for the Judicial Brunch? If so, please give details?—Yes, begin from the beginning; go prapidly by jeaps through all stages. I have no separate sawer to give to this question (see pravious answer). If he satisfies his test mentioned in my least nawer, he may be appointed even an Assistant Judge to begin with as a special cases.

Signature of training after appointment in Iodia a system of training after appointment in Iodia between members of the Indian Orill Service who are Natives of Iodia and other natural-born subjects of His Majesty? If Re, please state the special arrangements that you recommend?—No. I do not think any differentiation is necessary, except perhaps this that while more stress should be put upon the necessity of English Civilians being acquainted with Hindu and Muhammadan Law and custom, and traditional Indian conveyancing, squal stress should be put upon Indian Civilians showing special arguminatone with the gentits of English Judgemade law and principles of English Judgemade law and principles of English Judgemade law and principles of English.

33917 (42). Is any differentiation necessary in regard to the proteins and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixel European and Indian descent, and of unmixed European and Indian descent, and of unmixed European descent I first opheres to the proposal European descent I first ophere to any such differentiation.

32818 (44). Do you consider that the numbers

32918 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—No particular

change needed. 32919 (45), Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?-Yes; certainly. allowance ought to be abolished. It is in no way advantageous to India that European Civilians should make remittances to England. By should make remittances to keeping their children for education in England, they seek only a private purpose which merely serves to keep down the level of education in India, and meintains an invidious distinction which ought to disappear with time. If, again, education in England is good for the boys of European Civilians, it must be good also for the boys of Indian Civilians, who would thus be equally entitled to claim the allowance. In the interest of economy the allowance must be discontinued. If the living in India has become notoriously high or dear, it has become so equally for the Indian and the European. But, I don't think that above a certain level of pay, any officer can be allowed with reason to complain of the high and rising prices in India.

28290 (46). If shollino is recommended with compensation in the form of increased salaries, what is your opinion regarding the great of a similar increase, of salary to these members of the Service who now draw no exchange compensation allowance; —Retention not wanted in any form. Here already given my opinion against giving the allowance, and I will say I am opposed also to giving it in any form—there as allowance or increase in pay. But, if Government feel that the great of such allowance is inevitable, they would at least give it also to those others in the same grade who do not now get it. Racial differentiation and injustice is much worse than much supposed used.

2021 (47). Turning now to the case of the Statatory Girlians and officers of the Provincial Ciril Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Full pay, not two-thirds. I see opposed to any differentiation between the scalaries drawn by members of the Indian Civil Services, holding listed posts. If A, whoever he may be, is actually appointed permanently to other day of S, and sies does it satisfactorily, there is no reason wity A should not be allowed to draw the same salary as B.

33922 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service 7—Noue. I am not in a position to make any suggestions in this respect.

SECS (49). Here you say proposals to make in regard to the leaver rales applicable to Staticary Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for each differes and for officers of the Indian Civil Service are desirable?—No separate rules, as far as possible. As a matter of general principle, I would oppose any distinction being made in this respect. The necessity for leave and the appreciation of the benefits of leave must be the same in both cases. But, I would not seriously oppose any reasonable arrangement by which some slight advantage may have to be given to an Indian Civil Servan if that is messessive to easile him to go not to Bogland.

#### Written Auswers relating to the Provincial Civil Service,

3224 (51). Please refer to Government of India Resolveino No.1048—1056, stein the 19th August. 1910, defining the general conditions which should govern recruitments to the Provincial Givil Service, and reproduced as Appendix A. Are these conditions suitable, or have you say recommendations to make for their alteration?—Bules unsuitable. Recruitment should be based on competition. The conditions are generally satisfactory. But in my opinion the Government of India should fix the

[continued.

proportion of appointments to the Provincial Civil Service to be made by resorting to a competitive examination, and of those to be made without such an examination. This is a very important matter; and the Government of India must insist that the interests of the educated clauses and of those who begin their service in the reaks below the Provincial Service should not suffer on account of Local Governments reseving a large proportion of appointments to be made by direct recruitment at their pleasure.

33925 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—Unsuitable.

\$828 (63). Do you consider that recruitment for a Provincial Girl Service should ordinarily be restricted to residents of the Province to which it belongs 7—No. 1 am not in favour of any such restriction. Time has come when we must ignore and even resent provincial distinctions. Nor are the best interests of the Public Service likely to suffer by residents of one Province being domiciled in another Province, and adopting still another Province as their home. Far from restricting interprovincial exchanges, I would even encourage them if possible. That would be one of the means of building up Indian mationality.

\$2927 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object I—Yes, taking mainly oducation into account. Educational qualification indispensable, Confining nor remarks to the Provincial Executive and Judicial Services, I find that the proportions of the different communities in the services are approximately as follows:—

This will show that the distribution of posts is as it might be when we take into account the educational advancement made by the different communities as well as their population. cannot say, however, how this proportion will look in view of the anseen foundations of efficiency which do not depend on education. I can hardly imagine that, even spart from competitive examinations, Government are prepared to totally reject the qualification of education and have their services manned by the representatives of the different communities strictly in proportion to the population. If they are, then they had better cease to talk of efficiency. If the distribution of the posts in the Provincial Services is to be made only by political considerations, then I can have no useful suggestion to make. I do not ignore the fact that there is likely to be jealousy among the different communities as regards the prizes in the service. But, reserving to themselves a small definite number of posts for an arbitrary distribution of

patronage, Government can, I think, put recruitment to the Provincial Service on a broad basis of efficiency combined with justice. I do not quite see how the supposed or real claims of the different communities for an 'equal' share of posts in service can be satisfied unless Government are prepared to be gradually driven on to the absurd 'position that the admission to Schools, Colleges and University Examinations should also be restricted to numbers, represerting strictly 'the numerical proportions of the different communities.

\$2928 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend? - Yes. I may state generally that in the case of persons who enter the Provincial Service, through the grades of the Subordinate Services, the training is very satisfactory. In the first place all the Sub-Judges have passed either the University or the High Court Law examination, and have also practised as Pleaders or held qualifying posts for over three years. As for the Mamlardars, a considerable proportion of them are Graduates, have passed the Departmental Examinations, and also undergone a training in active service for at least 10 years before being promoted to the Mamlatdars' posts. As for the non-graduate Mamiatdars, they seldom become Mamiatdars before they have put in service for at least 15 to 20 years, half of which period, again, has generally elapsed after their passing the Departmental Examinations. It must further be remembered that these men do not come up as a matter of course, but have been subjected to a method of rigorous selection before being allowed to appear for the Higher Departmental Examination. The only case that remains is of persons who are appointed Deputy.
Collectors or Mamlatdars by direct recruitment.
In their case the test of the Departmental Examinations is of course enforced. But they have no previous training and they evidently. qualify themselves at the expense of the State and of the cause of efficiency.

82929 (57). To what extent are the functions of the officers of the executive and judicial brunches of your Provincial Civil Service differentiated? Is any change destrable, and if so, in what direction?—Yes. I want separation. I want a total separation of the judicial and executive functions even in the Provincial Civil Service.

3290 (59). An you satisfied with the present-designation "the Provincial Civil Service?" If not, what would you suggest?—Tes. I do not think that any change is required in the designation of the Provincial Civil Service. In contradistinction to the Indian Civil Service, the Provincial Civil Service make a necessary stage and its designation is in keeping with its purpose. If any one wants a change just for a fancy, then I would suggest that the designation of the Indian Civil Service isself be changed to the "Imperial" as opposed to the Provincial Civil Service.

Continued.

32931 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes; generally. I have no suggestions to make.

32932 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your graming in the Provincian the desired qualifica-province adequate to secure the desired qualifica-tions in the officers appointed? If not, what alterations do you recommend?—Yes; generally, I don't think that the existing rates of pay are unsuitable; provided that a proportion of the posts in the Imperial Service are reserved for the Provincial Civil Service men and their promotion to them is made dependent only on merit and ability and is not interfered with on the grounds of caste, creed and politics.

32938 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service helding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Equality of pay with Indian Civil Service men. In this connection I solicit a reference to my answer to cuestion (47).

32934 (62), Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—None. I have no suggestions to make. Even here I am opposed to all differentiation as between Europeans and Indians.

32935 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your you to be suitable.—The organization of the Provincial Service:—I. In my opinion all the ests in the Civil Service, carrying a salary of posts in the Own Service, carrying a sacry of Rs. 150 and upwards, excepting posts reserved for Indian Civil Service men, should be included in the Provincial Service. 2. Different groups should be formed out of these posts under three heads, (i) Judicial, (ii) Executive, (iii) Technical Recruitment to each of these groups should be made by the following methods:
 — (i) A commado by the ionowing memodis:-(1) A competitive annual examination in appropriate subjects in the case of 80 per cent. of the total recruitment in any one year. (a) In the case of the Judicial Provincial Service group the Ltt. B. or the High Court Pleaders' Examination is already available as such an examination. (b) In the Court of the Cour the case of the Executive group, only Graduates of the Bombay University should be allowed to enter the Provincial Service, and in that case the

University examination for that degree will serve as the competitive examination required. (c) In the case of the Technical Provincial Service group, rules should be framed for holding annual examinations so as to secure in the successful candidate an adequate technical knowledge of the special subjects which form the subject-matter of the administration. (ii) recruitment to the extent of 80 per cent. should be made from men already in the Subordinate Service. A departmental examination should be held each year and members of the Subordinate Service, who may be drawing a salary of Rs. 60 or upwards, and who may have besides served at least five years in the depart-ment, should be allowed to appear for such examination. Successful candidates should be registered in order of merit and they should be promoted to the Provincial Service according to their rank. (iii) Recruitment to the extent of 10 per cent, should be made each year by direct nomination from men outside the Service. But even in this case a high educational test should be fixed as a sine qua non for enlistment. (iv) Once the recruit is enlisted in the service, his promotion should be a matter entirely depending upon his seniority combined with efficiency. (v) If a member of the Service is efficiently discharging his duties, then he should be regarded as entitled to rise to the highest post by gradation or even by special nomination. The competitive examination instituted in 1864 for part recruitment to the Provincial Service has already been abolished. It was a ridiculously easy examination, and the public were dissatisfied with it. It was, afterwards, substituted by a more difficult examination but with an unsuitable syllabus. That examina-tion too has now been abolished. I would gladly note, however, that most of the Hindu recruits recently selected by the Bombay Government for nomination to the Provincial Service possess a high educational qualification. Education, however, seems to have been regarded as of very little moment in the case of other recruits. As regards recruitment to the Provincial Judicial Service, I have a special suggestion to make. At present the LL.B.'s and High Court Pleaders are taken upon the register according to their seniority of time in passing the examination. That gives the man who took the last rank in the examination in one year, a greater claim to be appointed a Sub-Judge than even he that stands first class first in the examination next year. This method does not obviously secure the best men for the Judicial Service. A rule should, therefore, be made that every year 125 per cent. or any other suitable proportion of the number to be annually recruited to the Judicial line, should be taken in order of merit from the list of successful candidates at the LL.B. and the High Court Pleaders' Examinations each year. And applicants out of these should be registered as candidates for service after they pass their Vernacular examination and produce their certificates of three years' legal practice, or of holding any of the "qualifying posts,"

efficient class of officers?-Yes, generally an

efficient class of officers.

Mr. NAUSINH CHINTAMAN KELEAR, called and examined. 32989. You consider that under the existing arrangements the Indian Civil Service gets an

<sup>32936. (</sup>Chairmas.) You are Vice-President of the Poona City Municipality?—I am. 32937. Have you occupied any other public

positions in Bombay?—Yes. \$2938. Will you tell us what your caste is?

<sup>-1</sup> am a Brahman.

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12th March 1913.7

continued.

32940. In your opinion, however, these arrangements operate unfairly against Indians ?-

32941. You discuss various methods of recruitment and come to the conclusion that the best solution for Indians will be found in the introduction of simultaneous examinations?-

82942. I take it you are anxious to see h European element maintained in the adminis-

tration ?-Yes.

\$2943. What reasons have you for feeling certain that a European element will be maintained under a system of simultaneous examinations?—For a very great number of years Indians could not come in in large numbers, and, therefore, the European element will be there all the

32944. Why do you say for a great number of years ?- The examination, even if instituted in India, would not be an easy one.

32945. It would be the same as the English one, of course?—Identical, but I think only high class graduates from our Universities could compete thereat.

\$2946. Do not you think that in the course of a few years those first-class graduates would have attained a sufficient educational standard to enable them to compete successfully ?-Yes; they might fairly well compete, but it does not necessarily follow that they will out-number the Buropean element. There is nothing to show that the European element will decrease in quality.

32947. You suggest that the age-limit for the examination should be a year older for the Indians than for the Europeans ?-Yes.

32048. So that, to that extent, you modify the principle of complete equality of opportunity? — Without that there is no equality, and equality could only be maintained if the Indians are given one year more. I do not want any special privileges in respect of studies or in other things, or marks or standard for passing. But, considering the fact that we have to study things in a foreign language, one year more given to us would not be too much; in fact it would be just the thing that is wanted to equalise the conditions. I want equality of conditions, not any special advantage.

82949. It is somewhat of an encreachment on the main principle which underlies the demand for simultaneous examinations, the principle that there should be complete equality as between the European and the Indian in entering the Civil Service?—Se long as the examination is held in Eugland there is no principle of equality in operation, but if simultaneous examinations are held in India I would not press for any extension of age.

82950. You would modify your proposal for an additional year for Indiaus?—I advert only to the fact, that the examination is held in England. I do not advert to any examination being held in India when I speak of the one year more.

32951. It is only in the event of the present system being maintained ?-Yes.

32952. Whilst you are opposed in principle to the fixing of a minimum proportion, you say that, as a matter of practical politics, you are prepared to have 50 per cent, reserved for Europeans?—Yes, as a matter of practical politics, as a compromise.

32958. You would not accept anything in the nature of a statutory declaration ?-No.

32954. But, on the other hand, you would insist on a statutory guarantee that the remain-ing 50 per cent., or 67 per cent., I think, on your estimate for the Judicial Branch, should be filled by Indians?-The reason for this I have given further on. Our experience has been all along that although on principle we may be allowed a criain number of posts, as a matter of fact we never get them. Therefore, if anyone wants the benefit of a statutory guarantee, it is the Indian people not the British people; because even apart from a guarantee they get what they want. It is we who do not get what we want, and therefore, 1 would insist on a statutory guarantee. Supposing, it was only declared in principle that about 50 per cent, should be given to Indians, that would remain only on paper if there is no guarantee for it. 32955. You want to see a system introduced

by which Indians will actually obtain a certain number of vacancies?—We must be assured that Indians will be admitted up to a certain number

32956,

You suggest in your answer to question (10) that the claims of the backward classes should be to a moderate extent recognized ?-

32957. And that a small reserve should be . set aside for appointments to be given to these communities?—Just a small margin, say 10 per cent. all round.

32958. I understand by your scheme that that would be in the direction of an extension of the listed posts system?-Not only that. If any direct recruitment is to be made, Government may reserve to themselves about 10 per cent of posts as a margin for adjustment of other claims besides those of education. I am preparéd to grant that Government may keep in their hands a small margin for adjustment and for arbitrary patronage, on the ground of expediency and all those things; but the other percentage of posts they must leave open to competition on a fair basis of equality.

32959. You suggest that, if you could not get a simultaneous examination, you might accept something in the form of an examination supplementary to the examination in England? have not said that I will accept it as an alternative

32960. You have put forward the idea as an alternative?—I have only exhaustively considered all possible alternatives and I only mention one which I have considered.

32961. I will ask you to give one or two answers in regard to this alternative which you do not recommend but which you do mention in your written answers. The examination you describe is an examination supplementary to the simultaneous examination?—Yes. That presupposes a fixed proportion only to be allotted to Natives, and the examination to be held as a supplementary examination to the Civil Service examination in order that this particular number of posts should be filled in India. But, of course, that will never be satisfactory and I can never accept that,

Mr. Narsine Ceintanan Kelkar.

Continued.

32962. But you have mentioned it here?—Yes.

32963. I am going to ask you to elaborate what you had in mind when you mentioned it. Will that examination be for the whole of India or for certain Provinces !—For all the Provinces.

32964. Will there be any nomination?—No. 32965. It would be an open examination?

-Yes.
32966. To fill vacancies up to 50 per cent.

32966. To fill vacancies up to 50 per cent.

Yes.

32967. Would that examination be approximate in standard to the one in England?—It would be an identical examination. But I do not accept it as an alternative.

32968. You do not accept it as an alternative but you do mention it in your written answers?—Yes, but I simply exhaustively enumerate all possible alternatives, keeping myself free to select only one of them.

32969. You approve of the Judiciary being recruited in part from the Executive line?—Yes, the Indian Civil Service people.

32970. Would you like to see recruitment to the Judiciary made from three sources, the Indian Civil Service, the Bar, and the Provincial Civil Service?—Yes.

32971. You would like to see the classical languages of this country brought up to the same level as Latin and Greek in the matter of marks?—Yes.

32973. Are there any other suggestions which you would make in regard to the marking of the examination subjects?—I have no other suggestion to make.

32573. (Mr. Sty.) What about Indian History?—I indeed want that to be included as a subject, but I would not necessarily say any-

thing about marking.

32974. (Chairman.) You would like to see
the civilian elect for the Judicial Branch at an
early date after the examination !—Yes, two or
three years after he entered Service.

32975. You would like him to have two or three years' Executive experience first and then to go into the Judicial Branch, and carry out the scheme of training and probation which you suggest?—Yes.

83976. You' are not in favour of sending such civilians to England for study-leave, because you think they can learn all that is necessary in this country in the Judicial line I—I do not think that is necessary, septically because I suggests regular examination for them.

8997. You would like to see an open competitive examination for the Provincial Civil Service for all India?—Not for all India. Residents from other Provinces may be admitted. There need be no restriction that a man only belonging to a particular Province will be taken into the Service.

32978. So that you would open this competition to those who resided outside the Province in which the examination was held?—Yes.

32979. It would be an open competition to all India I.—It will be an examination for the Province, but it will not be restricted to the residents of that Province. It will not be an examination for all the Provinces for admission to the Service of all the Provinces. The successful candidates will not be appointed to the Previncial Civil Service in the different Provinces.

32390. But, those the will outer for that examination and who may ultimately become members of the Bowkay Provincial Givil Service. For instance I would not be server; if a Madrair came out successful at the Bombay examination. I have not successful at the Bombay examination for the Provincial Civil Service. I mean, of course, University examinations really should be regarded as competitive examinations in themselves. Therefore, even as things stand at present, a Madrais can come and take his B.A. or LLB. degree here.

32981. But he may also pass in his own Province?—A Madrasi is not prohibited from passing his BA. hero if he comes and keeps his term and appears at the examination at the Bombay University.

82982. Do you think that to have in each, Provincial Civil Service a large preponderance of people who reside outside the actual Province concerned would conduce to efficient administration—7.1 do not think it is likely that a large number from other Provinces will come, but below should be no restriction of that kind. That is all,

32983. But, there is no guarantee against a very large invasion of them?—I do not mind even if there is an invasion. I want to see all India one Province.

32384. I will put to you a concrete illustration. You would not mind seeing the Bombay Provincial Civil Service mainly staffed by people from Madras?—If it is possible or probable.

32985. And you think that would conduce to satisfactory administration in Bombay 7—Certainly. Take the Public Works Department, There are a number of Hypotronau who are in charge of our districts at District Engineers and we do not say there is anything swong shout their helding those posts, as they are quite as good mon as any of us there. We are very friendly. Our customs and their customs do not materially differ. In fact we regard them as an additional asset to our Province. In the same way I believe the other Province would scope it as a return compliment if I were to take up sperior in the Madrias Presidence.

32836. Are there not many young men nor who rightly look to the Provincial Ciril Service for a extern and would it not be rather a discouragement to them to feel that they would have to compete with men from all parts of India R—My point is that if we do not have that restriction, it does not necessarily follow that the secretication, it does not necessarily follow that the services mould be filled by foreigners. That will be regulated in its own way as it is at present. There are other things which regulate the inflar of other Province people into the Bombay Presidency. The only thing I want is the removal of the restriction. I do not think that a restriction should be pat on, as there is no such restriction now.

32987. I can see some very serious disadvantages in this and I should like to hear from you what the advantages are?—The main advantage is that we want to create a nationality in 12th March 1913.7

[continued:

India, and as a means towards that creation of anationality we should certainly welcome other Provincial people to come and reside amongst That is a distinct advantage and a great

Political advantage. 32988. In your answer to question (28) you say you are not satisfied with the system by which inferior posts are merged into the Provincial Civil Service, and you add that the object of listing posts is not to degrade them but to exalt them. fore, you would bring out these posts which have been merged in the Provincial Civil Service?-Yes, I do not want to see them merged in the Provincial Civil Service, I want them to form part and parcel of the higher service so that the men of the lower service might enter through

that door and rise in the higher service.
32989. They would come into the category

of the listed posts ?-Yes.

32990. The officers appointed to listed posts are to receive the same pay as corresponding officers in the Indian Civil Service?—Certainly. There is at present a sort of stigma attaching to the reservation of listed posts.

32931. You would like to see all the distinc-tions removed and to have all the posts merged into the Indian Civil Service?—Yes.

82992. Made part and parcel of the higher

service?-Yes.

32993. So that the existing listed posts and all the other posts now merged in the Provincial Civil Service would be added to the Indian Civil Service ?-Yes,

32994. (Sir Murray Hammick.) With regard to these merged posts, you probably do not understand why these junior posts were merged into the Provincial Civil Service. The Civil Service has a number of superior posts, and in order to recruit for these superior posts a certain percentage of inferior posts are set apart and are really training posts for the superior posts, and these inferior posts which were transferred to the Provincial Civil Service really had no identity except as training posts for the superior posts. Therefore when they were merged into the Provincial Civil Service there was no object in keeping them as Assistant Collectors" posts because they would not be held by Assistant Collectors but by Deputy Collectors, and accordingly they were merged in the Deputy Collectors' posts. Perhaps you have not studied that question?-My impression is that these listed posts were given as a concession when the

Statutory Civil Service was abolished. 32995. When a certain number of superior posts were handed over to the Provincial Civil Service as listed posts, in order to train for those posts it was necessary to have a percentage of inferior posts, and naturally, as you had taken the superior posts and given them to the Provincial Civil Service, you had to hand over a certain number of inferior posts to that Service in order to be a training ground for the superior posts; but there was no object in calling them Assistant Collectors' posts any more because they were not to be held by Assistant Collectors' but by Deputy Collectors?—It may be so.

32996. I should like just to get a clear idea

of your figures. In answer to question (28) you say that in 1864 the total number of covenanted civilians in Bombay was 118. Where did you get that figure from, or is it a misprint?—I believe the number was 118.

32997. I have here the letter of the Government of India on this matter, which shows that the strength of Indian civilians and Military Officers sanctioned in 1893 in Bombay was 148. The actual Civil List, which I have here for 1894, shows that there were 155 civilians in Bombay on the 1st January 1894. It appears guite clear from the figures I have here, which are issued by the Government of India and therefore certain to be quite right, that the strength of the Iudian civilians sanctioned in 1893 for Bombay was 148. The strength of Indian civilians proposed by the Government of India at that time was 162 for Bombay, So that they proposed an increase of 14 civilians in 1898. Your figures seem to be quite wrong unless there is a misprint?-I must have taken it from some authoritative document, but I

cannot say what it was now.
32998. But you would admit that if the
Bombay Civil List, which I have here for 1894, shows 155 civilians on the first of January of that year, your statement that in 1894 the total number of covenanted servants was 118 is obviously quite wrong? I have also a table here issued by the Government of India which shows that the strength of the Indian civilian sanctioned for 1898 was 148 and that the Government of India proposed a strength of 162 after an examination of the wants of the various services throughout the Empire. That was an increase of 14 posts, and you speak of an increase of no less than 61 posts between 1894 and 1912. I think you are hopelessly wrong in your figures in connection with this matter?—I might have to look that up as I have not got the authority.

with me just now. 82999. Do you know what your authority was for saying that the total number covenanted civilians in Bombay was 118 in 1894 ?—It may be a misprint or a mistake or it-may be right; I cannot say one way or the

33000. With regard to the questions the President asked you about the recruitment to the Previncial Civil Service. I understood you to say that you would take the lists of the University examinations and take the top men from those lists and admit them into the rovincial Civil Service?—Yes.

38001. At the same time you said you would not mind having people from other Presidencies coming in here, that you wish to throw open the Provincial Civil Service to all India in order to make it a national institution ?—Yes

33002. But if you are going to keep your-list to the Bombay University you are stopping with one hand what you are going to give away with the other. How can you expect a Madras man ever to take his degree in Bombay? The Madras man wants to get into the Provincial Civil Service in Madras and therefore obviously will always take his degree in Madras, which is considered a qualification for the Provincial Civil Service of Madras. He will not come to Bombay. Therefore it is absurd, surely, to say that you are opening the Service to all India when you are making your examination one which is restricted to the University of Bombay?—May I enquire what the object of the printed question is? I answered the particular question and my meaning was that I did not want any restrictions to be put on at. Mr. NARSINE CHINTAMAN KELKAR.

Continued.

all. I understood the interrogatory to ask whether it was necessary to put any restriction

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33004. When you say you would not restrict the examination to the Province and then say then your medical of recruitment is to be through the Bombay University degree, surely you are restricting it by doing that very thing. First of all, for instance, is a Punjah onn ever likely to come into the Provincial Uril Service of Bombay when you make it a condition that he shell have taken a. Bembay dogree ?—My primary object is to seever a University degree as a test. My principal object is not to open the door for foreigness, though incinetably it may be so. I only suggest that no restriction need be put, that is all.

38005. You say here that you wish for a national feeling, but you take a very good means to prevent it by making it a condition that the man is to be recuired at the local University ?—May I be given some information as to the chiest of the Commission in putting that printed question? If I know the object I might be able to answer it.

33006. The question is No. (88): "Do you consider that recruitment for the Provincial GYI Consider that recruitment for the Provincial GYI Sarries should ordinarily be restricted to residents of the Province to which I belongs," and you say, no, it cught not; but your scheme for recinitment is one which will distinctly limit it to the Province?—Perhaps we do not understand one another. May I know what is the chipted of the printed question.

33007. (Chairman.) It means what it says, and I do not think we can put it any clearer than that?—Then I do not understand it.

33008. (Sir Marroy Hammick.) It means: Do you wish to restrict the Bombay Provincial Civil Service to Nativos of the Bombay Presidency?—Then I say, no.

33009. But then you go on to propose a system under which you practically do?—I put forward an argument in support of the reply, that is all.

33010. But your own system is against this very opening of the door; it is a system which will close the door to everybody except a

Bombay man?—My primary object is to scene an educational test, and I only mention that; my primary object is not to open the floor to foreigners. But, there is also a small incidental political advantage arising out of not keeping the door shat. My object is to secure the BA, to LLB, examination as a means of entry into the Provincial Civil Service, and then the question arises as to whether the opening should be restricted to the natives of the Province, and I say, no.

35011. But you told the Chairman you would be quite glad to see this Pravince held by foreigness in the Provincial Owll Service. But your system of entrance into the Provincial Givil Service in Bombay is so carefully arranged that nobody will ever get into it except a Native of Bombay F—I do not want to go not of my way and invite other people outside the Province to come and take up the Provincial Givil Sorvice posts; but I do not want to glad the door against them if they will come; that is also

them if they will come, that is all.

39012. (Mr. Madge.) In answer to question
(1) you say india perhaps does not get Englishmen
of first class education. Do you think that is
the case only just now or last is always been
so?—I have only beard it said; it is said that
now-adays first class Englishmen of good family
do not come out to India. I attach no importance to it, because in most cases the claims of
aristocraey are only imaginary; I do not believe
in those elinies.

33013. But you say that the Civil Service in India on its part can never have anything sufficiently attractive to offer to first class man. You do not think the spirit of adventure that leads the Englishman to the North and South Poles, for instance, attracts them to this country and other foreign countries?—That may attract them to the Service. If do not object to it,

38014. If that be true it rather militates against your opinion that the Civil Service in India, on its part, can never have anything sufficiently attractive to offer. Do you think that the best class of Englishmen are never attracted to this country?—I did not say that, I say you do not, as a rule or necessarily get the first class men. Sometimes you may not associations you may not; and sometimes you may not because the Civil Service has not sufficiently sattractive prizes to offer to them.

38015. In nawer to quasion (3) you say that Joidin percent have to make a ptheir mines as to sending their boys to Eugland for the Indian Civil Service at an early age. Do you think that into that feeling there orders any kind of fear regarding the probable consequence of young people going to Eughand and their possible alkendson from their own people. I have stated the grounds; there is ε, ε, rollegion, age, fear of temptations, religious projektice, caste, and all sorts of reasons.

33016. Is there no fear of alienation from their own people?—Alienation temporarily there must be, but there is not much in it. I do not fear alienation.

3301. Do you think that if they go to England early and are affected by the social conditions there, when they come back they will have the same kind of sympathy for their people?—I do not think we are afraid of their being denationalised.

12th March 1913,]

[continued.

38018. You have given us some very frank statements about your feelings with regard to the Provinces, You want India to be one Province, as it were, who faceling of nationality, but do not you think that facts rather react the other way? This country is full of different castes and of races, of which each has been called a nation in itself, and the differences between which have hardly been touched up to I foreign civilisation. Do not you think that this feeling should grouping after nationality rests entirely on the surface and does not touch the fundamental facts of Indian life!—I goos even deeper nor, I think, that this surface. If that sort of feeling of nationality was not gennine, I would not have said what I said in answer to that question.

38019. I quite believe that you meant what you said, but I just want you to think of the thing as it affects other people I—We are discussing a very small matter, namely, the entrance to the Provincial Civil Service, and how should I expect that that would affect the whole question of Indian nationality I that it must produce a certain result in its own way and there could be nothing against it. I do not think anything can be said against my contention that to that extent, a small extent, it must have its own result in producing accommon feeling of Indian nationality.

33020. Do you think that the feeling has gone much deeper now?—Yes, and it is going much deeper.

33021. Reconciling all distinctions all over the country ?-Yes,

38082. I think I understood what you said about the admission of people of other Provinces to your own, but I believe there are two irreconcilable points in your statement. The reason why you want an examination in each Province is that it should be based upon the needs of that Province I—Ves.

S8023. You would open it out to foreigness because you want to have no restrictions; but, if each Province based its examinations upon its own peculiar needs, it strikes me share would be something irreconcilable about your plans?—There are no needs which campt be satisfied by the cilinens of one Province being taken into another. Take the Bembey Pablic Works Department. There are about four or five heads of District Public Works Department who do not belong to this Province; and yot they do the thing as well as any men of our Province can do. We did not blink they were foreigners in our Province.

33024. In the Public Works, the Surrey, the Forest, and other purely professional departments, they do not enter into the very life of the people as do the administrative officers?—They do; they live amongst us and mix with as and form part of us.

33025. Do you think their professional services affect the vital interests of people in any degree? Yes, so far as their work may serve the people.

and people.

39.0.5. Do you think that much the same class of people go bone for the Uvil Service examination from India as that which enters for the 'revitucial Civil Service? It is generally it is sume class but with different enters and with different other facilities. Met entering the Provincial Uvil Service are generally of a lower level. The Provincial Civil Service is a lower service and we could not expect most faighter calibre of

enter that service. The men who go in for the Indian Civil Service are men of a higher calibre.

Signature of the provincial Ovil Service course however, and the provincial Ovil Service course however, and the provincial Ovil Service course however, and the provincial Ovil Service course of finance 7—There are various considerations. A man may pass a B.A. degree and then just within the next year or two he could not hind the means of going to England and the map be prevented from joining the Indian Giril Service and may have to be constent with joining the Provincial Civil Service. But supposing, he were lacky enough to find a pattern soon, then he would certainly go to England and pass the Ludina Civil Service.

33023. That is purely a financial consideration and nothing else T-Supposing there is a man who passes only Third (Dass in the B.A. examination. If he were to get Rs. 10,000 as a doubtion to go to England he would think twice before he should spend the money in that way. There must be a combination of includental expectify and financial means. The man in whose case there is that combination, at the psychological moment, genes to England. The man who has not that combination has to content himself with eartiery lettle service.

with entering the Provincial Civil Service.

83030. (Mr. Fisher.) I notice that in your
answer to question (I) you approve of the Poons.
Engineering College and you bink that man who
have passed through that College and become
Civil Engineers runk qually well with engineers
recruited at Cooper's Hill?—Government them-

salves admit it.

33030. And that there is no occasion for complaint or heart-burning in that direction?—I:

do not think there is. \$3031. It is thoroughly satisfactory?—Yes, it is thoroughly satisfactory.

33082. Is not that a case of separate examination proving satisfactory?—How is that a separate examination?

\$3033 You have a stories of tests at Poona and a series of tests in England; the mere fact that you have got mon satisfying those tests one set in England and another set in Irolia does not percent the Englishman and the Indian from being treated on an equality and being equally efficient? I am out speaking of the leart-burning as between Boropeans and Irolians, but as between tone belonging to the different Provinces. I can specify instances in which I say that men from different Provinces come together, study together, and pass together, and are in the service together, without there being heart-burning. A Madrasi may be a District Engineer in Boutbay wildood creating any heart-burning, and stee seried.

33094. You say that a mun who has passed through the Engineering College in Coom is entitled to equal rank, precedence, and promotion with engineers recruited at the Cooper's Hill College [-1] have taken that fact as it crists, I admit that if I were asked whether there should be one examination ofly or a simultaneous examination I should say differently. I have referred to that only incidentally.

35035. Do you think it is really necessary to assume, as you do on the same page, that a separate examination presuppuses a different standard of intellect or objective usefulness?—

16 may not be necessary, but on the whole, it may come to the same thing.

Mr. Nausine Ceintahan Kelear.

Continued.

\$3036. I observe that you criticise with considerable force the curriculum of the present open competitive examination; you think that it is very unfair to Indians and you propose what is substantially a very considerable alternation in the curriculum. You propose to re-allot the marks for the Oriental subjects, and I take it won would feel that the Indian boy stood on an equality with the goglish boy if the Indian boy should get as many marks for Oriental subjects as the English boy got for classical subjects ?-Yes,

33037. But supposing, that these arrangements were really carried out, would not you have again what is in effect a separate examination, the Indian boy mainly examined on Oriental subjects and the Buglish boy mainly examined on Western subjects?-The modification of the marks to that extent, raising it from 800 to 1000, or adding or taking away any subjects, does not make it a separate examination. You may as well say that the existence of so many different subjects makes each a separate examination.

83038. It does in some cases. I have had great experience of examining, and if you have a very large number of options you very often get what is in effect a separate examination although it is nominally the same examination. You get one man taking one set of papers and another man taking another set of papers; you get a different set of examiners and two different standards; and it is very unsatisfactory to work and extremely difficult. The more you multiply the options the more difficult it is to get a single standard? -You seem to assume there can be no possible common basis for Indian boys and English boys, If you assume that we may have to work up in a different way. If we assume, that there is to be a common examination, whether in Bugland or in India, for English boys and Indian boys, then I say the increasing of marks for some subjects or the addition or subtraction of some subjects does not make it a separate examination.

\$3039. All I wish to ask you is whether if your scheme of re-allotment is carried out you will not be at any rate advancing in the direction of what is practically a separate examination. I will not say you will have a complete separate examination, because there would be some subjects taken up in common ?-- I may refer to the fact that the revision of marks has already taken place once, and if that did not make the present examination a separate examination, of course the revision which I contemplate could

not make it so any more. 33040. I understand you to say that the revision which has taken place recently was in the direction of making the examination more favourable to English boys and less favourable to Indian boys?-Yes. Sapposing, it amounts to a different examination I do not really care. If there are simultaneous examinations then according to your way of thinking there may be four examinations, two separate exami ations in London and two separate examinations in India, All I want is but that does not matter much the same syllabus and the same identical expiration in Eugland and in Judia. It may amount to four or eight different examinations according

as you may look upon it. 33041. (Mr. Macdonald.) In answer to question (4), with reference to the combined examination, what do you mean exactly by "Colonial" there when you say: "I do not think there is much that is common between the details of the Colonial and the Indian administrations?" -Supposing, the object of putting all the examinations together, the Colonial, the Home, and the Indian Services, is that different people who wish to enter the different examinations in different countries may be asked to study something in common, then I say we need not have that examination thrown open to them all-

33042. In your answer to question (1) you are criticising the existing state of things in which the Home and Colonial Civil Servants are subjected to the same examination? You use the word "Colonial" and then you go on to refer to the Colonies that do not open their door to Indian people. Are you under the impression that this combined examination is an examination for service in our Colonies ?-- I am : I may be wrong.

33043. I think you are wrong, and it is rather an important point?—I tried to get the Civil Service Rules, but I could not find in the Rules whether it was open to the Colonias also. and I accept your statement,

33044. To that extent your answer weald be modified?--Yes.

33045. In answer to question (14) you say you think the present age that civilia is co ne out at is an age at which the average man must enter upon a career and begin to care?-Yes.

83046. The difficulty that is in my mind is that when an Englishmen comes out here at this late age and joins the Indian Civil Service, it is not as though he were going into a career at he no for which he has been trained, but he comes out here into a new climate, new conditions, meeting now people, and when nominally he begins to care he is really only beginning to be trained? - He is learning at the expense of the

33047. What is your opinion from that point of view of the age? Would it not be better if you could bring men out a little bit earlier when they are more plastic?—The difficulty is to find out how that could be done.

33048. You would require to have your examinations at an earlier period and year probation differently arranged?-You would spend the years of probation in Indea instead of in England perhaps?

33049. Partly. And you would lower the standard of age and bring it down for Englishmen in England. 'That would require to be done?-I would not object to that.

33050. Still, carrying out that idea, do you think from your knowledge of the Indian student that it really would be fairer to him to give him an examination before he has to go to England, to make him take his open competition with the scholastic attainments which he can get here before he goes to Bugland, rather than to make him pass an examination which is designed for Oxford or Cambridge, as he now has to do-You are speaking of things that would come into existence after the simultane as examination?

33051. No. You are criticising the syllabus generally on two or three questions, and your case is that this is a syllabus designed for young men who are trained in England and who have completed their education in England ?- Yes.

continued.

\$3052. Therefore, I understand, your conclusion is that that is unfair to the Indian because

he has to supplement his Indian training with an English training, which only a comparatively

ew can do ?—Yes. 33053. Do you think it would be better that the open competitive examination should be designed to get young men at the age of between 17 and 19, Indians and English?-

What would the separate examination be? 33054. We will leave that for the moment?

-Is it an examination to be passed at 17 or

33055. Is there a greater equality in the educational attainment of the Indian when he has got to the age of about 19 or 20 and the Englishman who has got to that age than there is between the Indian at 21 or 22 and the Englishman at 21 and 22 ?-1 think there would be an equality at the later age.

23056. Even although, that equality has to be acquired by an Oxford or Cambridge, or at any rate an English, training ?- Take an M.A. from our University, if he is a first class M.A. supposing he passes at 20 here, in some respects he may be comparable to an M.A. of the Home

University.

\$3057. But would the men who had passed the M.A. at the age of 20 be in the same position to pass the Indian Civil Service examination that a man is in who has gone through an English Public School and an English University?-It would be easier for the man who

has already been in England.

38058. I am trying to get to that point where the Indian training is comparable with the Roglish training, and I am asking you from your knowledge of both whether that point is not somewhat earlier in age than the age now fixed for the Indian Civil Service examination?— If he were in England and studied in England perbaps he might attain that culture early. Here

e takes more years than is perhaps necessary. 3.059. I rather gather that you have not thought out that point?—I know your point, but the reason is this. Here the present course of study is that he has to spend four years in the vernecular, then he takes up the English course; then he goes through the middle school course; then he goes through the college course. That takes him, up to the M.A., six years; so that he would not pass earlier than twenty. In England it might be a different thing altogether. Supposing, he goes there at an earlier age he can dispense with the vernacular. Whether, that is good or bad is a different question altogether. In England he picks up English very soon and does not spend time on the vernaculars but goes straight on

23050. To take another aspect of it, so far as the examination being held in English is concerned are not all your University examinations held in English?—Yes.

3306: Before a young man has gone through your Universities, English has practically become as familiar to him as his mother tongue? -Not quite so.

33062. But to most of them?-I do not think so.

38063. Supposing, you and I were going to leave this coord and go to either of your three hig colleges, Elphinstone, or St. Kavier's, or theory is first that the Wilson's, what should we find the boys tional qualification,

talking?—They would be talking in English, but talking in English and knowing English is not the same thing. There are some portions of English literature they would not be able to understand.

\$3064. Their working, examination know-ledge of English is just about as good as mine?

-I could not say that.

330d5. In answer to question (28) you say that " Out of the 18 originally listed posts, that of the Registrar of the High Court was one; but some years since Government has ceased to appoint a Native to that post." Do you know why ?-I do not know the reasons.

33066. Have you ever heard reasons given? -It may be the reason which made Government abolish that post is that the Registrar is in touch with the whole work of the High Court.

\$3067. But supposing, it was a reason of efficiency, would you object to that provided you were perfectly satisfied in your own mind that the Indian occupant of the post had been properly tested ?-I object to the present arrange-

33068. But supposing, the reason why the change has taken place is the reason of efficiency?-Is it in the first place a fact that Indians are not appointed because they are not efficient ?

another as a supposing, you were quite satisfied that the test had been properly applied would you then object?—If I were really convinced that they were found inefficient I would not object, but I do not take it for granted that they have been tested.

33070. I want to get your opinion quite clear. You do not claim this for an Indian as an Indian?—No.

You claim it for the Indian, but the 33071. Indian must be an efficient officer? - I start with the assumption that when the Government gave that post to the Indian they knew very well that Natives would be efficient to discharge the duties, and the burden of proof is on the Government to show that Natives have proved themselves inefficient. If they had not thrown that post open to us I might have thought of it in another way, but they must make out their

38072. In answer to question (51) you say: "The Government of India must insist that the interests of the educated classes and of those who began their Service in the ranks below the Provincial Service should not suffer on account of Local Governments reserving a large proportion of appointments to be made by direct recruitment at their pleasure." Do you know the rules and regulations under which these appointments are made?—In the first place, there are the rules passed by the Government of India; and the Bombay Provincial Civil Service rules. 3078. Do you know the rules of the Bombay Provincial Government Service?—Yes,

I have a copy of them in my hand. 38074. The first condition is the selection

of persons of high educational qualifications?-33075. So that that provides for the highly

educated men?-It is not necessarily followed in practice.

33076. Let us get the theory first?-The theory is first that there should be high educa-

continued.

33077. And the second provision is the promotion of selected officers who are already in the lower division or in the Subordinate Service, and educated men have to produce testimonials regarding their University degrees and their qualifications from their college tutors, and so on ?-Yes.

83078. That so far as the letter goes runs contrary to what you say here?—But my remarks are based not on the letter but on the practice.

33079. Let us bave the letter first. So far as the letter goes they are contrary to what you have said?—Even then I would have a fixed proportion of posts to be filled by competition and another portion which may be filled by direct recruitment.

33080. That is quite clear from your evidence. This is a criticism of what actually happens now ?-Yes.

33081. So far as the letter is concerned ?—I do not complain of the letter so much as the practice.

32682. Is it your complaint that these rules which are prescribed are not properly carried ont ?-That is my complaint.

33083. Do you mean to say that persons who have not had high educational qualifications have been appointed?-I think some Muhammadeus are appointed who have no educational qualifications. I have made it clear in my qualifications. I have made it clear in my critiques that so far as the Hindus are concerned that rule of a sufficiently high test has been applied. I am generally satisfied with the Hindu recruits, but I find that some Muhammadan recruits are taken in although they have no degree or high educational qualification, so far as I can gather from the Civil List.

\$3084. Do you mean to say that Muhammadans or anybody else have been taken in who have not had certificates from the heads of the educational institutions which they have attended?—Those are only secondary certificates from schoolmasters.

83085. It is provided that a candidate who has attended a college must produce a certificate?- He may have attended the college, but it includes both cases, people who have completed their course and people who have just joined the college.

33086. Is it your case that in the nomination of the class or community representatives pure and simple these conditions are not complied with?—Yes. Even, under the Rules as they stand unmodified, Government can enforce that only highly educated people may come in, but in practice they do not observe the Rules. They have observed the Rules so far as the Hindus are concerned, but not in other That means that they always leave a gate wide open to them.

33087. (Mr. Sig.) I should like to try to clear up this point about the number of posts. So far as I gather, the IIS that you give as the number of covenanted civilians in Bombay in 1894 is really the number of sanctioned posts in that year \—Yes.

33088. Not the total number of civilians !-No.

33089. Under the system of recruitment, you not only have the number of civilians for sanctioned posts but you have also on additional number to form a leave reserve and for training ?- Yes.

33090. And there is no comparison between the 118, the number of sanctioned pests, and the You should have compared the number of civilians at the present time.

You should have compared the number of posts at the present time?—Yes, I can see the point.

\$3091. As a matter of fact, so far as I have been able to ascertain, the number of superior posts since 1893 has increased only from 72 to 75 in the Bombay Presidency. That is the total increase since 1893. Three, In dealing with the Statutory Rules of 1879 you have calculated one-fifth of the number of civilians recruited ?--

35092. What really happened under the Statutory Rules of 1879 was that Government agreed that one Indian should be recruited for every 5 appointed by the Secretary of State in England, so that it was not one-fifth but onesixth?-The recruitment of the Statutory Service was to be one-fifth.

2309S. One-fifth of the number recruited in England ?-Yes.

\$3094. Therefore, if you take the five recruited in England, plus one recruited in India, it amounts to one-sixth of the total recruitment not one-fifth ?-Yes, it might.

32095. So that when you took this onefifth you should really have taken it as one-sixth?-Yes.

\$3096. Now, in regard to the number of listed nosts here thrown open. In your comparison you have nerhans neglected to take into consideration mayo permane negreeous as take non-consideration that the inferior posts and the training posts for the listed posts are included in the Provincial Civil Service. If you turn to the actual Orders issued by the Government of India with regard to issue by the document of their war regard to these posts for Bombay, you will find that at that time there were 120 sanctioned posts in the Indian Civil Service cadre, and that as a matter of fact 18 of those were listed as open to the Provincial Civil Service, 18 out of 120, which is not quite but nearly one-sixth?-Yes.

\$3097. So that as far as one-sixth was concerned the government action in Bombay very nearly one-sixth if not quite, 18 out of 120?

39098. You have also compared the figures for the whole of India, and in addition to the differences in your comparison which I have pointed out already, have you not forgotten to take into consideration that Burma was excluded altogether from the scope of the Commission in regard to this ?—In 1886 when that number was prescribed it was excluding Burma, but when the number was fixed in 1893 that included Borma.

\$3099. But, the one-sixth that was recom-mended by the Commission and more or less accepted by the Government of India as a general rule was not accepted for Burma was it ?- I do not know.

38100. If you look at the papers, I think, you will see that the Burma figures should be axcluded. Also the one-sixth was not accepted for the posts under the Government of India

but, it was only one sixth of the posts under the, Provincial Governments. Therefore, if you wish to make a fair comparison you should exciude all the posts under the Government of India plus the training and leave reserve, for that purpose, should you not? Government did not at that time contemplate that one-sixth of the posts under the Government of India should be listed; therefore if you want to make a fair comparison on the totals you have to exclude all the Government of India posts plus the training and reserve before you can make this comparison ?-Yes.

33101. Similarly, you would have to exclude all the posts plus the leave and training reserve of civilians in the political department—the onesixth did not apply to the political department, did it?-I do not know that. If you tell me that I will accept it.

33102. Therefore, if you really wish to make an accurate comparison there are a good many other factors that have to be taken into consideration and you cannot deal with it on the gross totals as you have done !-- No. Sometimes we cannot get the original documents and we have to take our figures from secondary authorities. That is all I should like to say about that.

33103, I quite understand. I did not mean to suggest that you had given any wrong com-parison except from the fact that you hid not the material. I should like now to ask you a few questions about your statement in answer to question (3), as to the unsuitability of the present examination for the admission of Indians to the Indian Civil Service. The first point you put down is on the question of age : you think that the Indian is handicapped by the present age limit?—Yes, owing to its being the same for Englishmen and Indians.

\$3104. Because of the age of the University examinations?-Yes.

38105. Personally I cannot understand that point very well. With the age for the Matricupoint very west. With the age for the Matricu-lation fixed at 16 and 4 years for the B.A. course, the Indian has finished his B.A. course at 20?—Yes.

33106. The age at which the European boy finishes his B.A. course is about 21 or 22; so that so far as the B.A. course is concerned the Englishman is one or two years behind the Indian, and it seems to me that if there is to be any comparison made between them the advantage is perhaps with the Indian rather than with the Englishman ?—My point is that the Indian boy does not discover qualities which may entitle him to be sent to England for the com-patitive examination before he has reached 20.

33107. But, he has passed his B.A. examina-tion by 20 or 21?—Yes; he has passed his B.A.

at 20.

33108. In fact, he may even pass his M.A. examination at 22 and yet go up for the examination?—He has then only a small chance. Supposing, a boy were to go to England from the supposing a could very well compete within the age, but it generally happens that his capacities are not discovered until he passes a compete for the Indian Civil Service examination unless he had passed his B.A. in a high class or had passed his M.A.

33109. Quits so, but the English boy who is to compete for the examination passes his B.A. at the age of 21 to 22?-He does the things simultaneously; he takes his degree while studying for the Indian Civil Service examina-

33110. I do not know that he does this, but if he does, is there any reason why the Indian boy should not do it also?—If he goes to England. The studies are common for the Indian Civil Service examination and some of the English University examinations, but they are not so common between the Indian University examinations and the Indian Civil Service examination.

The standards may be different, but 33111. the subjects are more or less common?-A few

subjects only may be common. 33112. Your next objection is on account of religious prejudice against going to England. Surely you do not recommend that persons who have those religious prejudices so strongly as to decline to go to England for exemination are fit and suitable persons for employment in the India Civil Service?—My point is that the father, being a conservative, sometimes refuses to send the boy to England. But the sins of the father ought not to be visited upon the son. The boy may not be as conservative as the father, but the father is the man who has to say whether the boy shall be sent to England or not. The religious prejudice is unreasonable; I do not want to attach any great importance to it, but it is a restraining cause; it is there, and has to be taken into consideration to that extent.

33113. At any rate, as far as I gather, you desire that a student having passed the examina-tion should go to England for his probation?— I would prefer it.

38114. Then what becomes of the question

of class prejudice of the boy or his father under those circumstances? You are going to force him to break that caste prejudice if he has been successful in the open competition?-No. He has to pass the Indian examination first and then he discloses his qualities and then the father thinks of sending the boy to England. Even if he has attained a high degree in India the father may not send him at all

39115. But you have said that religious preudice is one of the disabilities under which the Indian at present suffers, and is one of the arguments in favour of simultaneous examina-

tions ?-That is so.

\$3116. At the same time you have recommended that after success in that examination the Indian student should go for two years to England?—Then the position alters.

\$3117. He has to break his caste projudices Before the exthen ?-Then it is more easy. amination he takes the risk both ways, but after he has seen that the boy has become fit to be a member of the Indian Civil Service the

father may be induced to send him, 32118. You mean that the religious prejudice disappears in favour of this material advantage?

To a certain extent it does give way.

33119. The particular item you have men-tioned is cost; you have estimated at Rs. 12,000 the cost of actually appearing at

examination. It encounts, does it not, to a second class passage to and from England, plus a month's residence in London T—I do not near that. Generally a boy spends a year or two there. He does not go straight from India and aimply appear for the examination. He has to spend a year or two and the cost of residence for two years counts to show it. S. 12,900.

30,190. I deresqy is dose, but what I wantclearly to understand is thir; how the setablishmost of signultaneous examinations will help him in he matter if he has to go for education to to England — These, there will be colleges started or institutions, or coches may be brought out to India. When it is seen that there are larger prospects of our catering the Bervice, now institutions might come into theing which have not already come into existence,

S3221. So that, simultaneous examinations must be combined with some substantial improvement in the educational facilities of Locilities for the provened of the detactional facilities of Locilities for the state of the examination?— Yes, but that will come in gradually, if not at once. I would velocome it for this additional reason, that we shall be creating a new atmosphere-altogether with these new institutions which will come into being when the examination is held here. As long as there is no examination is held been. As long as there is no examination of committee of the state of the simultaneous examination when of the simultaneous examination were of our Universities might think it well to open classes for the trition of Indian Orvil Service candidates.

33122. If simultaneous examinations were granted you would press for that?—Not

secondary,
31128. You would desire that there should
be classes in Universities?—I do not think Government would be necessarily compelled to open
classes or bring out ocaches on their account.

88124. But, there would be a movement in favour of it?—There may be an independent movement in the beginning, a private movement.

33125. Even assuming, that the cost is Rs. 13,000, the cost of education in England for the English boy is a very large sum also, is it not?—That may be but we are only considering the case of Indian boys.

33126. So far as you can compare the actual cost of preparing the Indian Day for the Indian Civil Service and the cost of preparing an English boy in Maghad for that Service is there so much difference? The very fact that so many English boys pass the examination and so very few Indian toys pass the examination shows that the contention has some weight.

33127. Does it not show that the English parent is prepared to spond much larger rame on the education of his children !—Thero are things in his favour. The religious prejudice is not there, and the risks are not in his way. He could have the boy with him and look after him. 33128. You think that the risks of going out

of his native country is a distinct disability on the Indian?—Yee; our boy has to leave his country and the English boy has not.

33129. Then with regard to the disability of not being able to use their mother tongue for their language, you do not suggest that the examination should be changed from English to the vernacular?—Certainly not, but in the course of

time we shall be having instruction through the medium of our vernaculars in India, and if that arrangement saves some time to us it will be so much gain to the boys appearing at the Indian examination.

38180. That is a disadvantage, if it is a disadvantage, under which the Indian will labour equally whether the examination is simultaneous or not F—Yes, to a certain extent it is, but when you have examinations here, instruction will be given through the medium of the veranculars, and that will give a year or so to our bors.

and that will give a year or so to our boys.

3131. In answer to question (?) you have dealt with some questions connected with come questions connected with come of the Provinces will object to the introduction of a common examination is that name of the Provinces will object to the introduction of a common examination because the cincational facilities in them have by this time comes up well-night to a fagree of equality. The educational facilities in them have by this time comes up well-night to a fagree of equality. The educational facilities in your point of the provinces we should granuble and say we have outling like the same ordunitional facilities in your Province are proportionate to the demand for education in your Province, and if the proportion is kept there is no complain. If there is greater demand and less facilities in your Provinces are should complain. If the people in your Provinces are backward astumily the facilities must be backward astumily the facilities.

33132. Their complaint is that many of them have to go to Poona and Bombay away from their homes?—That does not effect the question of having a suppose require time.

of having a common examination.
33135. Under such circumstances, it is
silicelt to judge educational facilities between
Province and Province, but you have a fairly
good test surely of the result of those educational lacilities in the educational statistics of the
different Provinces I—I mu spacking as to
wheelve people in the Provinces do complein of
a common examination, that is all. The Central
Provinces people may have a ground of complaint
that the educational facilities in their Province
are not up to the standard they are in Bombay,
but all the same they do not complain that our
University is not a good University here, and
they come all the way and join the colleges.

33184. Your statement is that the educational facilities come well-nigh up to a degree of equality?—I have not said absolute equality, but nearly equal.

here.

8348. De you think it is nearly equal when pure of such a visition is statistics. Perintunce, take the English-speaking population, which is alone what we have to kind not once and you find that in the Gentral Provinces there were only about three per mills able to speak English, and in a Province like Bength there are deven per mills, and Boning me or or 3-ft is now a point to be judged by the actual percentage of population, but by the actual percentage of population, but by the control of the proportion between the demand and the enginy of fashifities. If the demand itself is small there is no grievance of the fashifities are also small.

33136. With regard to the Provincial Ciril Serrice, you have given certain statistics to show that in your opinion castes and communities are fairly represented in the Provincial Civil Service at the present time?—I'es. 408

33137. Is not that due to the fact that the Government have regulated recruitment in order

to secure that end?-It is not on account of that, I think. 88188. What is the reason ?-The natural course of things. Take the case of Benuty Collectors: the Parsis for instance would

lorgely go in for Deputy Collectorships, but not for Mamatdarships, which are low-paid offices; and Christians and Eurasians and Anglo-Indians also will not care to go as Mam-latidars. The fact is not that good men are not taken into the Service but that they do not care to be Mamlatidars. Deputy Collectors are care to be maintained. Deputy considers are higher posts and they would naturally take those posts. Take the cases of Sub-Judges: it is not because the Pársis are not allowed an opportunity

to go in but because few of them like to go in. 38139. The point I wish to suggest is that if this representation of castes and communities has been secured under the present system of recruitment to the Provincial Civil Service, there is no guarantee in any shape or form that it would continue under recruitment by examimation?—Under a system of examinations and as I suggest educated people would naturally come in, and I maintain that supposing educated people who satisfy a particular test do come in, there is no ground for the grievance that the different communities are not. properly represented.

\$3140. I can understand your position if you say you do not wish caste and communities to be represented at all ?- I have in fact expressly

said that.

33141. What is the object of saying they are

fairly represented at present !- Even things as

anny represented as present and they are, taken as they are, as they are, because Government has enforced this principle for many years past under the rules of recruitment?-I do not know what are the rules, or how the rules secure these figures, consciously, I mean. It is not because Government want particular communities in particular Services, but it is as I have told you. A Parsi would go in for a Deputy Collectorship but not for a Mámlatdárship.

38143. But, whether Government selects the Parsi or Hindu or Muhammadan, under the system of selection Government have that necessity in view?—Take the case of Sub-Judges: the recruitment of Sub-Judges is also governed by a Bombay Act. Government cannot appoint a man who has not passed the

B.L. Examination.

33144. (Mr. Chanbal.) With regard to this last point, as a matter of fact the very low percentage of Muhammadans in the Judicial Service is due to the fact that there are bardly any LL Bs. amongst the Muhammadans ?-

Certainly.

Cortainty.

33145. With regard to keeping the examination open for all provinces, I suppose, what you
mean is a man like the late Mr. Nanabhai Harridas who passed his B.L. from Madras but practised in the High Court here and became a Judge of the High Court beer and became a anoge of the High Court beer. When he passed in Madras he passed under a standard which was not specially adapted to emble men from Bombay to come in, but he prepared himself to that standard and went and appeared, there. I suppose, what you mean is that in whatever Provincial Examination you have you make that examination one suitable to the requirements of your own province, but that if any person chooses to give himself those qualifications he can avail himself of the opportunity ?—Yes, 33146. He can for the matter of that come-

from England?—Yes, why not?
38147. Your object simply is that so long as
the required standard and qualification for the Provincial Examination is arrived at, it does not

matter from where the person comes who appears for that examination?—No.

33148. Incidentally you mentioned that it would be perhaps desirable not to discourage or

restrain but rather to assist?—Yes,
33149. With regard to your answer to question (57), I believe you are an LL.B. and a Pleader?-I am not a regularly practising Pleader.

"33150. But, you have occasionally practised, have you not?—Yes. 33151. The question put to you is: "To

what extent are the functions of the officers in the Executive and Judicial branches of your Provincial Civil Service differentiated ?" Is all: what is called the Judicial branch here?—No, 32152. What Judicial work is not done by

the Judicial branch?-All the work that can be done by people holding first class magisterial powers.

33153. In your opinion magisterial and criminal work is Judicial work?—Judicial work, but not done by Judicial men.

33154. It is Judicial work not done by the Judicial branch which is referred to in the

question?—That is so.

38155. Your suggestion practically comes
to this, that all Judicial work should be done in what at present is the Judicial branch?--Exactly.

83156. Do you recommend the change because you are satisfied that the present combination does not work well in the interests of ustice ?-Yes; it does not work well and therefore I want a separation.

33157. (Lord Ronaldskay.) With regard to your answer to question (24), you object to the difference which is made between Assistant Collectors and Deputy Collectors. Do you mean that all Deputy Collectors ought to be paid the same as Assistant Collectors, or that only those Deputy Collectors who hold listed inferior posts should be paid the same as Assistant Col-lectors?—I do not mean that all Deputy Collectors should be made Assistant Collectors, give it as an illustration of the state of things under which one man does the same work but does not get the same pay and the same other. privileges.

33158. Do not all Deputy Collectors practically do the same work as Assistant Collectors?...They do the same work, but they do not get

the same pay.

\$3159. Do you desire that all Deputy Collectors should be paid the same as Assistant Collectors, or that only a certain number of Deputy Collectors should receive the same pay?—I would be content if a larger number were paid, if there were such a revision of the gradation of the Deputy Collectors that in many Mr. NABSINE CHINTAMAN KELKAR.

couts and.

cases they would be getting the pay of the Assistant Collectors.

33160 But, only a proportion of them, not the whole?-I would be content if the revision were to take place so that a large number of Deputy Collectors would be on the same level as some proportion of Assistant Collectors.

33161. How would you select your Deputy Collectors who were to receive the same pay as Assistant Collectors?—By seniority.

\$3162. Entirely by seniority?—I have said that in my evidence.

33163. Not by selection?-Not as far as possible, except in very special cases.

\$3184. In other words, what you would really do would be to create a new grade of Deputy Collectors at the top of the present grade and call them Assistant Collectors?—I do not insist on their being called Assistant Collectors.

35165. Let us ware the question of name. In effect your proposal would be to create a new grade of Deputy Collectors at the top of the present grade of Deputy Collectors with the same pay as the Assistant Collectors?-A creation of a new grade and also throwing more posts into the present grade. There are very

few posts in the higher grades.
33166. When you suggest that 50 per cent.
of the posts should be guaranteed to Indiana by Statute, do you or do you not think that that would be a violation of the Statute of 1833?-No; so far as throwing open the posts to Indians is concerned it is not a violation, but so far as throwing the posts open to Europeans is con-perced, it is a violation.

\$3167. Can you tell me why it is a violation in one case and not in the other?—Because under the Statute any Native may be appointed to any post.

32168. May not any subject of His Majesty he appointed to any post under the Statute?-

83169. Then, why is it a violation in the case of Indians and not in the case of Europeaus? Is not a European a subject of His Majesty?—Yes, but the Statute is meaut for

Indians, not for Europeans.

8:170. You interpret the Statute in that way ?-Yes, as meant for Indians.

93171. (Mr. Heaton.) In answer to question (45) you say: "If education in England is good for the boys of European civilians it must be good also for the boys of Indian civilians." Is that merely an argument or is it civilians." Is tast meroly on argument or is it your opinion that it is a good thing for Indian boys to go to England to be educated !—It isn you opinion that it is a good thing, as things at present go, for an Indian boy to go to England it possible, because the education he gots there is at a higher order. But, I wish at the same the thing the course of time was challed as time that in the course of time we should create in India institutions which may be able to give us education of that very sort. Our Bombay University is modelled after the Euglish University and we want other institutions which will give us the same class of education.

33172. Would you have boys go to England at the age of 13 or 14?—Under favourable

circumstances, yes.

38173. Do you think that if we had simultaneous examinations a large number of Indians would pass into the Service ?- Not at first.

33174. But later on ?-Yes.

33175. You advocate the reservation of only 50 posts for Indian civilian- ?-Yes.

33176. That would mean a very large number, more than half probably, of Indians, would it not?-It would, taking into cousideration those who are recruited in England

38177. Do you think that would be likely to bring about any change in the character of the administration? I do not this k so

38178. In the Judicial Department you would have even a larger proportion of Indians?-

Certainly. 33179. Two-thirds ?-Yes

33180. Do not got think that it is in the Judicial administration that our present administration differs more from what you may call the

pre-English methods?—In what respects?
38181. In its general obstactor | Donet you think our Judicial administration differs from the old pre-British methods more even than the Revenue administration does?-The methods may be different but our capacity to adapt ourselves to different methods remains the same, In the pre-British time also we accepted new methods and adapted ourselves to them, and under the new conditions also we shall adopt ourselves to the new merhods.

33182. Do you think that although the method is so different there would be any serious risk of a reversion to the pre-British time?-No. because I assume the leading strings would be

in the hands of Europeans.

33183. Do you bunk that Civilian Judges have been good Judges or bad Judges on the whole ?-I have myself tad no experience in the matter because I have never been practising, but I have it on the authority of very connent European Judges themselves that Native Civilian Judges are better.

32184. Supposing you threw open the Judicial Department to a very large extent to Barristers and Plead rs, do you think you would get better Judges? Not, if it is thrown open to Barristers and Pleader- necessarily, but to the Judicial line. I have in my mond the First Class Sub-Judges who are very competent men. They may be much better than some of the Barristers and High Court Vakils, because they have had practical experience of original work and therefore are far more competent, in my opinion, to rise to the higher posts than mero Barristers and Pleaders.

33185. You advocate the study of Indian Law as a necessary preliminary?-Ye-

33186. Excluding Hindu and Mahamadan Law, it is very largely a study of the Acts of the Legislature?—Yes.

33187. Is not the method of studying the Acts of the Legislature apt to lead to memorising?-Not necessarily. If there is an examination with books; so no memorising is necessary at all. I have advocated an examination with books because that ouristes cramming A should be able to find out in a book what the Law is. My contention is that without an examina-tion a Judge is not able to know what the Law

is even if he has the books before him. 33188. What he ought to do is to learn to know where he can find it?-Yes, and apply it properly.

33189. In answer to question (10) you use the expression "Traditional Indian conveyancing."

Continued.

What do you mean by that?—By that I have in my mind the technique of Law, as I might

23190. Is there such a thing as a technique, for instance, in the class of documents you commonly come across in the mufassal?—I think there is. A bond drafted in Bombay would not be the same as a bond drafted in the mufassal.

Some of the words would be different.

83191. Are not the documents in the mufassal to a very large extention up by petition writers and bond writers?—Yes. But, the style is different. They may be drafted by a regular class of people who know the unsiness, but all the same the style and construction and words would be different. It is not a very great matter.

but it is there all the same.

\$3192. With reference to the statistics given
in your auswer to question (54), in the class of
Brithmans you do not include the Gowd
because the figures titler so very much from
certain other figures: in which Sansavats are
included 1—10 not thin k1 have. By Brithmans,
I mena, those who have been celled Brithmans
generally, even by their own class.

generally, even by their own class.

331.93. But, your figures differ a good deal from the Government figures?—There may be some difference. For instance, I have based my figures on the Civil List for July last year, and perhaps the Government figures may be based on the latest Civil List; but I do not think there can be any underfiel difference.

33194. The only difference in my mind is as to who are included under the term Bráhmans.— It may be a different calculation altogether.

33195. A different use of the same word?—

33196. (Mr. Bhadbhade.) In reply to a question of Sir Marray Hammaki's I understand you to say that a dagree in Bombay University would be only open to candidates residing in that province. Are yon aware that candidates for the LLB. in the Bombay University come sometimes from Mysorey and have taken a diegree in Madras I—I have known of instances.

Madras?—I have known of instances, 38197. Most of the District Bagineers who are in your province are graduates in Madras?— Yes; people who graduated in Madras were sent as scholars from the Bombay University.

Salis. Under those circumstances, you think a competitive examination here for the Provincial Girl Service would be no bar to the recruitment of candidates from the other provinces?—No.

33198. I should like to have your opinion of a schome which is before the Commission for establishing a system of State scholarships for training Native loys for the Indian Civil Service. Would you favour such a scheme as ending out Native boys at the age of 14?——I would depend on the details of the schome. If I know the details I could promone on opinion. I know the details I could promone on opinion.

Sagoo. It is a system to enable them to stay for five years [--I should like to know the number of scholarships.

38201. Supposing there are half-a-dozen for cacif. Presidency and non-regulation provinces 7—In ny opinion, it would depend upon many things. A system of echolarships in itself is very good, and if simultaneous examinations are granted I recommend that those scholarships should be given to the backward classes.

33902. What do you say on the assumption that the simultaneous examination is not granted !—Then I should like to know how many sobolarships are to be given and; to whom they are to be granted. I am not in favour of sobolarships and cannot accept them as a substitute. If Government gives the sobolarships as a substitute and I find out it is a very good and estisfactory sobstitute in high pronounce very tevorably on them.

33203. Do you think the Natives would come in sufficient number to avail themselves of it?—Yes.

S3904. (Mr. Jogicker). In answer to question (52) you say that the rules for the recuriment of the Provincial Civil Service in your province are unsuitable, and you say also in answer to question (51) that the conditions laid down in the Government of India's resolution are also unsuitable. Are the rules which are referred to in question (31) the rules of the Government of India's —Yes.

\$9205. And the rules referred to in question (52) are the rules of the Local Governments?— Yes. There are two sets of rules—one by the Government and one by the Provincial Government.

88206. Will you explain in what respect the rules in questions (3) and (32) are ensatisable?—I understand that question (31) refers to Dopput; Collectors and the orders passed by the Government of India ought to fix the proportion between men to be recruited by competition and nen to be recruited directly; I do not find any proportion fixed in the rules themselves, and that is a defect in those rules. There ought to be a clear defection of the proportions to wive the wear would be recruited directly to the Deputy Collectorships and the men who would be recruited by promotion from the Service.

83207. What do you say with regard to the roles referred to in question (52) 4—Biven those rules I think are vague. For instance, the rules I think are vague, For instance, the relate generally say that high educational qualifications should be insisted upon, but as a matter of fact it is not so. The Judicial branch of the Service is governed in its recurdinces by an Act which says that only an LL.B. or a man who has passed the High Court Examination will be admitted to the Judicial line. That is not the case in connection with Mainsthifter. If possible, Government inglet consider whether an Act should not be passed fixing the higher educational qualifications accessive for recruitment.

38206. With regard to your answer to question (51), dol micrestand you to say that the competitive examination is in addition to the University qualification?—Competitive examination for that proportion which is to be recruited directly, not for the Manufadirs, who go up as a matter of course from the lower Service.

a matter of course invasion of the ways.

\$8200. Will you insist on University degrees
and than tell them to appear, at a competitive
commission. "Government might monimate
condidates and ask them to compete at the
examination. I refer to that portion of the
posts in the Departy Collectors' line which are
filled by direct recurritions, feesuses at the lower
and of the Revenue line you have the qualification of the BA. degree for the Mimitations and

Mr. NARSINH CHINTAMAN KELKAR.

fence afed.

you have a number of Mindalders who are BA's. Sometimes, a proportion of about onefourth of the total number of Deputy Collectors are securited directly, and in the case of those people there is no educational qualification insisted upon. I, therefore, recommend that, if the Government want to have competition, they might mominate candidates ever from the bankward classes and let them have a competition amongst themselves.

38219. You would hold a separate competitive examination after selecting candidates who had passed the B.A.?—Not necessarily the B.A. I would have the competitive examination, but in the first place I would not have to once the being a qualification. Government may choose their candidates from the different clusses and communities and examine them at a competitive examination.

3321. You were asked in question (60) about the existing cates of pay and grading in the Provincial Civil Service, as to their being adoquete, and you say you do not think that the existing rates of pay are unsuitable. But you have not answered the question mobest the grading in the Provincial Civil Service. Yor your information, I may tell you that thore are six grades, and in the first three grades steres are twelve appointments, and in the lower three grades seventy-one apprintments. Would you propose any randjustament of the total number of the first three grades and the total number of the lower three grades is small and ought to be larger. Of course the proportion would be a matter of opinion, but I would generally say that thou 33 per cent, should be in the higher grades and about 65 per cent, about 30 per cent, should be in the higher grades.

33212. In auswer to quastion (64) you propose that different groups should be formed in the Provincial Service under three heads, and you say like twentheant to each of these groups should be made as follows —first s competitive annual examination is appropriate subjects in the case of 60 per cont. of the total recretiments in any one year, and in the case of 4th subleted. Provincial Ciril Service group the LLB. or the High Court Pleader Stamination is already available as such an examination T—I alleads.

the 60 per cont, would not apply there becase it is governed by the Jed. The recraftment 1 the Judicial Service is already geograned by the Giril Courts Act and therefore my contention that 60 per cent should be recruited by some better of the state of the per contention would not be presented by a competitive examination would ust apply to the Judicial Service. There, the while sumbre would have to be recentied by a compositive examination, such as we have in the LLB. It would apply, however, to the other two, tho Executive and technical line, in which there is no fixed examination.

33213. What do you mean by the "technical Parisad Serving group?"—Theother miscellaneous department; the Forest, and the Abbirt, where a large number of prots are fantament to Provinceal Cord. Service posts carrying Rts 300, Rts 400 and so on. Even, in these Services, there should be a compositive extension to start with. There is no reson why the LDB, should be recruited to the Judicial line and a man should be recruited to the Forest line without any examination.

line without any examination.

32314. (Mr. Mades.) You have stated that
the provisions of the Charter Ara and the later
Proclamations remover the rare for seating
appointments in this country were note rather
in the interests of Industrial and Englishmen.
Are you aware that it is stretch in the life of
Reckets, the Anglo-Induan Departy: 15 Regulant
in 1839, and the statement has not here contendiced since, but the face of the way request
on the initiative of Ricketts?—I am not aware
of that

33215. Do you accept the first ?—Yes, 33216. Is not a more reconsulte interpretation of that that it was not mode specially in favour of ladium but was meant to medial Angio-Indians and did not exclude English ment !—I do not want to exclude Angio-Indians if they are residents in this country.

33217. The point of my question is that the removal of the race but was not under in favour of any particular race, but was intended to remove the race bar from all mees, and was not in favour of Indians as agrees Englishmen?—I do not know.

(The witness withdrew.)
(Adjourned for a short time.)

Sir CHINUSHAI MADHAYLAI, Hart., C.I.E., Chairman of Committee of Management of Ahmedahad Municipality.

Written Answers relating to the Indian Oivil Service.

33218 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Irdian Givl Service D by you except it as generally exhibitory in principle?—The Indian Givl Service is recruited by able uses on the whole by means of the present system of recruitment by open competitive examination in England; but by open competitive examination in England; but by confirming this examination only in England, candidabas residing in distant countries like India nor placed at a natural disadvantage.

33219 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present

system of keeping all subjects for the examination optioned can be improved upon by making extrins subjects obligatory. Situated as at pre-mt, a candidate will chose only these values to five the examination in which he is extra strong and which will bring bin the maximum under of much. This coarse has the tendency to induce conflicts. This coarse has the tendency to induce conflicts to neglect subjects in which they are probably not very strong, but which are likely to prove of rignal uncliness and help to then in their future origina career. Such obligatory or compulsory subjects ought to be desired upon and peptific, and at least half the momber of total murke should be assigned and reserved for them. The following should form the group of computery subjects of they are not included in the final examination;—Bagilah Language and Edirectors;—Bagilah Composition Boglish Hatsery, Inteln History;—Inteln t History;—Intelne

Sir Chinubhai Madhaylal.

Continued.

English Law, both Civil and Hindustani: Criminal: Indian Law, both Civil and Criminal.

\$3220 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-horn subjects of His Majesty? If not, what alteration do you recommend?—As stated in my answer to question (1), Natives of India labour under the serious disadvantage of being far away from England; and candidates from this country for the Indian Civil bervice examination have to face the extra risk of going out alone to a distant country amongst quite different surroundings and a different climate quite foreign to their own at an age that, to say the least, is impulsive and emotional, and requires careful vigilance and guidenes to guard against temptations to which adolescent age is particularly prone in a foreign country. This is an additional risk to the ordinary one that accompanies submission to examinations. All this can b. set right by having simultaneous exeminations both in England and in India, and candidates that have passed this examination in India may, if deemed necessary, be required to pass some time in England to finish and complete their preparation to join their service in India.

\$ 221 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons? In principle, to put all Civil Services on an equal footing a combination as described in this question is descrable; but if it has any tendency to take the cream if intelligence away from the Indian Civil Service by getting appointments to the Home Civil Service, I would prefer to keep the competitive exalination for the Indian Civil Service separate. India requires the Lest brains

for her Civil Service,

\$3222 (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose,-The present system is satisfactory subject to the proviso mentioned in my answer to question (1).

33223 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Se vice Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province of group of provinces in India? If you favour such a scheme, what preportion do you recommend?—I am not in favour of fixing any such proportion because I consider such a distinction invidious, and as 1 do not advocate the holding of a separate examination

88224 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India." should still be eligible for appointment in England? - I do not

agone no appearant in August favor may system of a favor may system of part recruitment.

38225 (10). Would you regard any system of selection in Iadia which you may recommend for young men who are "Natives of India," as being young near the new August 1 to the present in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Ser-rice?—I would recommend no other system in lieu of or supplementary to the present system.

33226 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Givil Service? If so, please describe the system which ou would propose?—I think candidates who intend to join the Judical branch must be required to obtain a legal degree of any University during the period of probation in England or in India after selection,

\$3227 (12). Are you satisfied with the present statutory definition of the term " Natives of India in section 6 of the Government of India Act, 1870 (33 Vict c. 3), as including "any person born and dominited within the Dominions of His Majesty in India of parents habitually resident in India. and not established there for temporary jurposes only," irre-pective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposus that you wish to make in regard to this matter?--- am satisfied with the present definition.

33228 (13). If the system of recruitment by open competitive examination in England is retained, state the age-hmits that 'you recommend for candidates at such examination, giving your ressons?-The present age-limit may be kept if simultaneous examinations are decired appp. otherwise it shou'd be kept between 23-25.

33229 (14). What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in

India?—Between 25 and 26 years

\$3230 (15). What age-limits for the open connetitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differ-entiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty ?-If simultaneous examinations are held the present age limit may not be modified otherwise the age limit for Natives of India be raised by at least one year if not more

38281 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—This has been answered in question (2). Sanskrit and Arabic should have qual number of marks as Greek and Latin. Persian may

be added.

\$3232 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?-No differentiation is needed.

\$52.63 (18). Do you consider it necessary that certain pests should be reserved by Statute for officers recruited to the Indian Civil Service and, if o, what posts and for what reasons? - The present Statute on the subject needs no modification.

33284 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what propertion of the posts included in the Indian Civil Service Gaire do you consider that Natives of India might under present conditions properly be admitted?—There should be no proportion fixed for rise to the higher osts of the civil administration, as this rise must be the result of tried abilities only.

38285 (20), Do you accept as generally satisfactory in principle the present system under

Sir Chenubhai Madhaylal.

continued.

which Natives of India are recruited for posts in the Indian Civil Service Gaire partly through the medium of an open compositive examination in Bugland, and partly by special arrangement in India?—The present system is not quite suitisatory.

33236 (21). Do you consider that the old system of appointment of "Statatory Civilians", under the Statator of ISTO should be revived and, if so, what method of recruitment would you recomment (—The old system of appointment of "Statatory Civilians" should not be revived.

352.7 (22). If the system of recording military officers in Turbi to peats in the Indian Unit Service Colfu has been stopped or has never existed in your Province, would you advise it is existed in your Province, would you advise it has been smap be, and if the system should be introduced no re-nitroduced, a vibral testing in your opinion, should it be adopted ?—There is no necessity for some han introduced and has introduced as some an introduced in the peace of the p

32238 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of the selected officers from other Indian services?—There is no necessity for such an introduction.

33280 (24). What is your opinion of the system by which certain pasts, ordinarily hald by members of the Indian Giril Service, are declared to be posts (ordinarily tearned librar) posts to which members of the Provincial Giril Service con properly be appointed ?—Bots intended for the Civil Service ought in reality to go to the members of that service under the three contents are to exceptional cases due to special merit that would warrant a departure from this rule as described in this question.

38240 (25). Are non establed with the present rule which presents that Natives of Italia, obsertant members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarker of the fixed posts fr—Such instances must be very rare; the rule, howevers, may be retained to give scope to exceptionally bright intelligence.

35241 (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Inferior listed posts ought not to be merged in the Provincial Civil Service. The natural course ought to be for the latter to combine with the former, retaining the original full pay of the appointment.

38342 (27). Is the class of posts listed untable?

If not, in what directions would you suggest any changes, and why?—If simultaneous examinations be decided upon, the present arrangement may continue, otherwise opportunities should be given to the deserving in such branches as are not covered under existing list, and proportionate increase in the number be made.

33243 (23). Do you consider that candidates recomited for the Indian Civil Services by open competitive examination should undergo a period of probation before being admitted to the Service?—A certain period of probation is desirable.

33544 (30). If so, how long, in your opinion, shoult this period be, and what course of study should be prescribed for the probatinents P-1t should not be less than one year. This period cought to be devoted and passed in India by those who are not Neitres of Imila in sequency practical knowledge of the various modes of living and laukts of the people and of the principal languages of India; and if simultaneous examinations.

ations be adopted, this probationary period should be passed by the Natives of India in England to complete their training and enlarge their experience by obtaining on the spot good insight of English life and associations.

the and essentions. Says the said as some suitable has in India, a coll-ge for the said as some suitable have in India, a coll-ge for the taning of productiones of the Indian Cwil Service, and possibly of other Indian Services returned in Engine II—any tensing obtained in an indication of the nature described in the presented in the Indian Production must be more of a theoretical than practical nature. It would then the production to street productions to the sense of their future suitable productions to the sense of their future suitable productions to the sense of their future suitable productions to the sense of their future suitable productions to the sense of their future suitable productions to the sense of their future acquiring practical insight by seeing the work that is calcularly being done there.

33246 (31). Do you think it desirable that each Provincial Government should arrange for thating of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre [—My answer to the last question covers this.

\$3247 (35). Are you satisfied with the present arrangements for the raining of junior officers of the falian Cvil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangement for famining junior officers of the India. Ovil Service after they have taken appointments in India would be sufficient if they pass the probationary period described in my answer to question (39).

33248 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages passessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attein to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied ?-There is some deterioration, and it is mainly due to the increasing spread of English education amongst the people of this country. The knowledge of Indian languages acquired for examination purposes is bookish, and actual proficiency can only be attained by actually mixing with the people, whereby freer contact, good colloquial knowledge and command over the language is obtained, and also a deeper insight into the working of the social machinery of the people of this country is acquired. Such a knowledge, in my opinion, must prove of immense value to the members of the Indian Civil Service and is bound to make their career an unqualified success.

33242 (37). Please give your views as to what stops (if any) an excessor to improve the problemer in the incordinge of law of members of the Indian Cviii. Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch (2–14 aline of procedure on the basis sketched out in my asswer to question (3) adopted there would hardly be any need for further proportion for improving the professory in the knowledge of law. For the Jadicial branch, a deeper and more intimate knowledge of varous Indian Cvii laws like the Hinda and Medical have is necessary, in addition to the qualification mentioned in my answer to question (11).

38250 (40). Is any differentiation desirable in a system of training after appointment in Iudia between members of the Indian Civil Service who

Continued.

are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If the probationary period described in my answer to question (30) be adopted, no further differentiation

is necessary.

3225 [49]. If you have recommended the introduction of any scheme of direct recruitment in Irolia for Natives of India, whother in lieu of, or supplementary to, the system of recruitment in Bogland, please state what system of treatment and intrinsing you recommend for officers so recruited?—As such a scheme is not recommended to special strangements is desirable.

35253 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Nutrees of Indians between persons of unmixed Indian descent, and of unmixed European and Indian sleeent, and of unmixed European descent? If so, please state your proposals?—There is no such necessity. My answer to question (39) overes this subject.

answer to question (over the sure superior \$3.255 (4.5). Do you consider that the exchange compressation all-wance introduced in 1983, eligibility for which depends on maticashity or denicies, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or he restricted to future entirates?—This question depends upon the currency question that is at present the general topic of thesession. If Inclaim mints are allowed to on gold the necessity of taking up this question depends on the property of the contract of the c

Side-447. Turning new to the case of the Statatory Girlians and offices of the Provincial Civil Services holding lated posts, do you approve of the arrangement by whole they case selary approximately at the rate of two-childs of the pay drawn in the same posts by members of the Indian Chil Service? I first, what rate of you suggest for the warens grades of the envise I—For sair plays no distinction coghit to be made.

#### Written answers relating to the Provincial Civil Service.

332:5 (51). Please refer to Government of India Resolution No. 1046—1048, dated the 1945 August 1950, defining the general conditions which aboutd govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have your any recommendations to make for their alteration?—These rules are mainly based upon efficiency and close representation. As long as the former is available class representation should not be lott eight of, but their control of the control of t

stances be sacrificed to class representation or any other consideration.

38250 [52]. In particular, are the rules for the recent tent of the Provincial Civil Service in force in your Province suitable, or have you any recommedations to make for their altestian f—In the Bordust Presidency the rules for the remitment of the Provincial Civil Service are on the whole suitable. If it be possible to give to all classes the full benefit of the system of selection, it should be a carranged.

33257 (53). Do you consider that recruitment for a Provincial Civil Service should crdinarily be restricted to residents of the Foreince to which it belongs?—The qualification of ability ought to weigh more than the consideration of province or locality in the matter of recruitment.

33256 (6b). Are you satisfied with the cristing armangements for the training and probation of officers appointed to the Previncial Civil Services? If Inct, please state your objections, and what other armangements you recommend — Probaticners for the bigher grades that are brought in by direct precriment should be made to work as supramment and Manhatdars for a time hefore they are given the charge of the higher grade office. Such a training must preve valuable and useful to men coming immediately after completing their University cares.

\$3259 [57]. To what extent are the functions of the officers of the Executive and Juribeal branches of your Provincial Civil Service differentiated? Is any oftened desirable and, if so, in what direction?—This can best be an wered by officials.

33:b0 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—This is a question of names only.

38261 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 186-673, and since followed, than the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not what triminghed due mercented 3. We

If not, what principle do you recommend !—Yes, \$2828, (00). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to source the desired qualifications in the officers appointed? If not, what alterations do you recommend!—Looking to the responsible positions they fill and to their status as Gazetted Officers, the memiers of the Provincial Civil Service should not have less pay than officers of similar status of other departments.

#### Sir CHINUBHAI MADHAVLAL, Bart., C.I.E., called and examined.

33263. (Chairman.) To what casts do you belong?—I am a Nagar Brahman.

33264. Will you tell us what public positions you occupy?—Professionally, I am managing two cotton mills. I um at present Chairman of the Committee of Management of the Ahmedabad Municipality.

33265. You are in favour of simultaneous examination?—Yes,

33266. And you are opposed to the proposal for a separate examination to fill a fixed proportion of vacancies in the Indian Civil Service?—Yes.

33267. You do not wish to see any minimum proportion of Europeans fixed for employment in the higher posts? I would not make any distinction like that.

\$3258. You are auxious to see the European element maintained in the Administration?—Yes,

element maintained in the Administration?—Yes, certainly.

33269. Do you feel confident that under a system of simultaneous examinations that element would be secured in the future?—

system of simultaneous examinations: that element would be secured in the future?—I think so. Of course, it is a new idea, and it requires to be tried and experimented upon. The results will show that there will not be any oversurplus of Natives.

Sir Chinobeal Madhavlal

33270. Supposing, simultaneous examinations were not instituted, would you consider as an alternative an examination supplementary to the existing one in England for a fixed number of of Indians?--That would go to fix the number as it were. I do not like the idea of making a hard and fast limit for it.

\$327). I am asking you if you would regard such a scheme with favour as an alternative. understanding by your answers that you would prefer simultaneous examinations?-I would prefer the simultaneous examination; but if that is not adopted I would leave the present arrangements as they are.

33272. You would prefer the present arrangement to any alternative other than that of

simultaneous examination? - Yes. 33273. You think that under the present conditions the age-limits for examination for the Indian Civil Service should be raised from

22 to 24 to 28 to 25? Yes. \$3274. You make this suggestion in the interests of Indian candidates, I suppose?—Yes, chiefly for Indian candidates, and also for Europeans too, because they will be coming and joining the Service with more mature judgment.

33275. Do you think that the present age of 25 is too young for civilians entering the service?—No, I do not think so.

33276. That is the age they come in at under

the present age-limit?—Yes. 33277. You would on the whole prefer to

see the ago raised to 26?—Yes.

33278. You think that at the open competition certain subjects, including English and Indian law, should be made compulsory?—Yes, I think so.

33279. And if they are not made compulsory at the open competition they should be included in the spilabus of the final examination ?-Yes.

\$3280. Do you think that the probationary course which you propose for Europeans and Indians would leave sufficient time for an adequate study of law?—I think so, if they did it at the same time in England.

33281. Do you think that your one year's probation would give adequate time for the study of law which you suggest?-That will be after passing the examination. Of course before they pass the examination they have to study the law as suggested by me in answer to question (2). So that this will be an additional study

33282. The introduction of these subjects into the open competitive examination would involve a departure from the main principle upon which the examination is based, I mean from what is known as the Macaulay principle?-Yes, that may be; but the study of law for all Civil Servants is more or less very useful to them in this country. When it is neglected, or when it is studied later on, they do not get sufficient knowledge.

33283. Would it not, on the whole, he better to confine the examination to subjects taught in the course of a general education and to give the training in law subsequently during the time of probation ?-If it be possible to be done I see no

objection to it.
33284. You do not mind when it is done so long as the civilian enters the Service with an adequate training in law?—This is a subject that should not be neglected. That is my object. 33285. How many years after passing the examination would you suggest that officers should be transferred to the Judicial branch?-Directly after their examination would be a better course.

33286. You do not think that a few years in the Executive line is of use to an officer beture he takes up Judicial duties ?-Certainly it would be usoful; but it would be against his further prospects of rise and promotion in the Service.

33287. It would affect his prospects of rising in the Service, and therefore you would sooner see him choose it directly after the examination ?-Yes.

33288. You say that if the present system of open competition is continued the number of open comperation is continued the number of listed posts should be increased. Would you tell us what increase you would like?—In the Bombay Presidency I think we have eight at present. It may be doubled at least, if not

33289. Now I will ask you a few questions with regard to your business. You are, I believe, a large employer of labour? - Yes.

33290. Do you find that in the last ten or fifteen years the cost of living has increased appreciably?—Yes, it has increased about twenty-five to thirty-three per cent.

3 21. And with that general rise would you say that there has been a corresponding rise in the rate of wages amongst the working class community?-Yes there has been.

\$3292. They have increased their rate of living along with those in higher circumstances?-Yes, along with the higher grades of society.

33293. In your business do you employ many Europeans?-Yes, about seven or eight.

38294. Have you Indians occupying the same kinds of positions as those Europeans?-Sometimes I have had Indians on the same posts and sometimes Europeans.

33295. And you have found that the Indians whom you have employed have been able to supervise the men under them satisfactorily ?-Yes, some of them quite as efficiently. Not all,

but some. 33296. As regards the Europeans you employ, can you tell us what salary they enjoy?—From Rs. 400 to Rs. 700 and Rs. 750

Do you increase their salaries auto-33297. matically ?- Most of them we have got out from England have been on the agreement

33298. Is the increase from Rs. 400 to Rs. 700 made in accordance with the number of years they have been in your service ?--Yes, 33239. You have a kind of time-scale? - Yes, 33300. At what age do you take Boropeans

into your Mills?-Not before they are thirty.

33301. Do you recruit them direct from England, or are they men who have been in India before? - Sometimes I take them from India and sometimes I take them direct from England,

3:302. Do you find that the European who comes out direct from England takes long to pick up the language?—I think in six months they are quite capable of making themselves intelligible to the workmen. 12th March 1918.]

416

Sir CHINDRHAL MADHAVLAL

continued.

\$3308. And I suppose, they come out without any knowledge of the vernacular at all ?- Abso-

lutely none. 33304. They pick it up merely from inter-course?—Yes.

33305. What is your system of leave for Europeans?-After they have worked for three years I generally give them leave for three

years I generally give toeth leaver for whee months on half pay. 38506. They take their holiday, I suppose, in India & No, they generally go to England. 38307. Do you pay for their journey to England and beak K—II I pay for their journey I do not pay their salary as well. If I pay half-

their salary, I do not pay for their journey. 39308. As regards Indians who are occupying corresponding posts to Furopeans in your Mills what terms of leave do you give to them?— I have engaged Indians also on salaries of

Rs. 600 and over.

33309. And their leave?-They do not have the same leave as the Englishmen, because they hove not to go to England. \$8319. You give them the same salary as

Europeans and you allow them the same leave?-Yes, according to their abilities.

33311. You make no differentiation between

them?-No. 33312. (Sir Theodore Mericon.) You have recently made some very generous donations to education, and especially to scientific education,

have you not?-Yes. 33313. Do you find that there is a need of a greater scientific knowledge in industry?-Yes,

it is becoming greater every year.
33314. You think it would be useful for industry if there were more Indians with a scientific equipment?—Yes, I think in time to come it will be indispensable.

\$8315. Can you tell us whether you think there will be a considerable number of openings for educated Indians in industry ?-I think so, if they prove themselves to be quite practical and not theoretical. If they show some practical results there will be some good openings for

33816. At the present moment, do you employ y considerable number of graduates in Science, B.Sc.'s ?—I have one in my mill at present,

H.Do.'s: (-1 may one in my turn as presents 38317, White stort of salary do you give to a B.Sc. !- I am giving him at present Rs. 400, 38318. What starting pay did you give him !-I do not recollect properly, but I shink it was between Rs. 300 and Rs. 490.

33319. And he is now getting Rs. 400?-

\$8320. With regard to your answer to question (60), you think that the members of the Provincial Civil Service should have more pay ?-I think so. 33321. You think that in industry they will

soon be able to command salaries such as you have indicated that you yourself give ?-Yes.

38322. There is going to be a considerable demand for them ?-Yes.

33328. (Mr. Chenbal.) When you spoke about Europeans being able to speak in the vernacular, in Gujerati, in six months, I suppose you meant only to refer to the sort of conversation a man has to keep up with the workmen under him?—Yes, to make himself intelligible in his business.

33824: Do you think that man would be able to converse with you as regards your home life, -your domestic relations, and the ways of living; I mean the sort of general conversation. which you would carry on with an Englishman, or Frenchman when you want to know what their habits and sentiments are? Would be be able to earry on a conversation on these points with Indians in the vernacular after six months' training ?-No.

33325. What you mean is that he picks up enough for the purposes of his business rela-tions? Yes.

10087 1988. I see that you have avoided answering question (57). You say "This can hest be answered by officials"?—Yes,
3337. I suppose the public has an interest
in the concern of the administration of justice, has it not?-Whatever I have said would be more as a suggestion. I cannot say authorita-

tively.

\$3328. I do not want you to say what the official view is. I want to know your opinion as a member of the public, so far as those two branches come into contact with you, and with you as a unamber of the public? Do you think that the combination of the two is desirable, that is to say the Executive officers performing magisterial work?-It would be much better to separate them, no doubt, but how far that would be practicable I cannot say.
33329. From your experience, you think it

would be desirable if it could be done?—It would

be more convenient.

35350. Can you say that that is generally the feeling of the public you have come across, that it should be so separated?-Yes.

\$3831. (Mr. Sig.) The Europeans ron employ in your Mills, I suppose, are in the capacity of expert foremen ?-Yes

\$3352. It is the technically trained European that you employ ?-What we call overlookers.

28323. In technical branches?—Yes. 34384. You have recommended that after the English candidate is successful at the open competition he should come out to India for his probation?-Yes.

\$3335. And you wish to see his probation spent in India in order that he may get greater knowledge of Indian conditions?-Yes, by coming into greater contact with Indian society and Indian ideals,

\$3856. Is that opinion of yours based on your experience of Indian civilians who have come out,-that they do not get into sufficient centact with Indians at an early age?-I compere the two classes of Europeans. One is the Covenanted Indian Civil Servant and the other the commercial community, or the machinery class. The muchinery class and the commercial ecommulity generally do come into contact with Indian society and Indian people, and they understand the way of Indians mode more intimately than officers of the Indian Civil On account of their notions of their responsibility; as officers of the Indian Civil Service they cannot, in my opinion, mix quite so freely with the Natives as these gentlemen of the other communities do.

38387. Is your experience of civilians in Ahmedebad, and Gujerat generally, that they are unable to converse in the vernacular with Indians?-They are able to converse with Natives Sir CHINDRRAL MADRAULAL

Concluded.

in their own vernacular. I have met several gentlemen who speak the native language very fluently, but they have not the opportunity or time to mix so freely with the people in their

official capacity. 23338. (Mr. Fisher.) You said in answer to Mr. Chaubal that it would be more convenient to separate the Executive from the Judicial. Will you explain to me in what the inconvenience of the present system consists?-I mean the

inconvenience to the public. 33339. What special inconvenience are you alluding to !—They have to go from place to place when the functions of Judicial and Bxecu-

tive are combined, 33340. That was the special inconvenience which was in your mind ?—Yes.

33341. Besides that, was there any other inconvenience in your mind resulting from the union of the two functions? - There may be inconvenience to the officers themselves.

32342. (Mr. Heaton.) In answer to tion (11) I understand you to say that you do not advocate a separate method of recruitment for the Judicial branch; you only advocate separate training ?-Yes.

33848. (Mr. Joglekar.) In answer to question (60) of the Provincial Civil Service series you say that looking at the responsible position they fill and to their status as Executive officers, the members of the Provincial Civil Service should not have less pay than officers of a similar status in other Departments?—Yes.

33344. How can you compare the pay of Deputy Collectors of similar status? How can pour symbat particular officers of other Departments should be paid?—In the Abkári Department and other Department, they do not come under the Civil Service as far as I understand, and some of them are drawing higher pay than the Provincial Civil Service officers

38345. Do they get more than Rs. 800 in the first grade? The Departy Collector's pan that the first grade in Rs. 800. Do you think that thereave higher rates in other Departments?—I think they get more. That is my impression of the case in the Abkári Department.

\$3346. You want the pay raised from Rs. 800 to something more?—Yes,

38347. (Mr. Bhadhhade.) In reply to a question put to you by one of the Honourable Members you said that you started a B Sc. graduate on Rs. 300 to Rs. 400. Do you think that is the general scale upon which they will be able to get a post elsewhere, or is that a special case !—That is what I am doing : that is what I said.

33548. You do not think a B.Sc. could get a start on Rs. 400 elsewhere?—I cannot say whether he would get a start on Rs. 400 in a permanent post elsewhere. It depends upon his usefulness to the concern. If he is found useful the is sure to get either Rs. 300 or Rs. 400.

33349. In your answer to one of the Provincial Civil Service questions, you say that the rules for the recruitment of the Provincial Civil Service in your Province are generally satisfactory. I suppose, you have not gone through the rules sertain. It is a general opinion?-Yes.

88350. You do not know what the grievances of that particular class of servants under these rules are? That is a general impression?-Yes.

(The witness withdrew.)

GANESH KRISHNA SATHB, Esq., Pleader.

Written Auswers relating to the Indian Civil Service.

33351 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle —I consider generally satisfactory in principle —I consider that the present system of recruitment by open competitive examination is generally satisfactory in principle. It cannot be desired that on the whole Givilians are found to possess a high standard of intellectual attainment and culture which make them generally a capable class of administrativo officers.

33352 (3), Is the system equally anitable for the admission of "Natives of India" and of other natural-horn subjects of His Majesty? Other natural surprise of the safety of the defending the system is most unstitable for the admission of Natives of Ludia for the following among other reasons :-(i) The cost of sending boys to England and keeping them there for at least two years is found by most to be prohibi-tive. Besides, this expenditure has to be risked for a mere chance of success. (ii) Many parents exhibit an unwillingness to send youths to a foreign country to be exposed to the inclemency of a different climate and to the temptations of their new environments. (iii) In some cases, insurmountable difficulties arise from religious scruplés.

To remedy this inequality, I recommend the holding of the competitive examination simultaneously in England and in India, the standard and machinery of the examination being the same in both cases.

33358 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose !-- I have already said that the present system of recraitment by open competitive examination appears to me sound in principle but it is open to serious objection on the ground that Indians are thereby placed under a great disadvantage and are practically shut out,

\$5354 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-horn subjects of His Majesty ?--I am entirely in favour of having the present competitive examination held at two different coutres, siz., (i) in England and (ii) in India, open in both cases to all natural-born subjects of His Majesty. This change will enable the best talent of the land to compete at the examination and to succeed according to merit, and will remove all the difficulties enumerated in answer to question (3). This will also largely meet the legitimate aspirations will also largery need one registimes asprosones of educated Indians and remove a chronic cause for dissatisfaction. I think, however, that all smoossful candidates should be required to thought.

This subject has engaged the attention of the Government and, of the public for a number of : years and several objections have been pressed, for the withholding of the concession, the chief among them being that the Service will be swamped with Natives and that this will ultimately become a source of political danger. -

This apprehension of overcrowding appears to use chimerical, because the test prescribed is so clearly of opinion that even assuming that then mosts should go to Subordinate Judges of their responsibility to the State and the public their responsibility of makes in the state of any instances where arrangements for the littaining of junior offinars. Native Givilians have been found, wanting in of the Indian Orili Service sitte they have ladent administrative qualities. These officers have in all important matters to carry out laws and change about, in your opinion, be sitted and of the state of t all important matters to carry out laws and executive orders laid down by Government. Again, the administrative machinery is by this ngain, are auministrative macanizery, so by sus-time so firmly and completely settled that there can hardly be opportunities for Native Civilians to do any mischief not easily remediable.

33355 (7). What would be your opinion with regard to filling a fixed proportion of the vacan-cies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate of fraus, recruised by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend? back of this system will be to create a feeling of inferiority or inequality not only in the minds of the recruits themselves but of their European fellow-civilians, merely from the fact that the two examinations happen to be different. This feeling could not be avoided even if we have an equally bigh standard of examination in India as that obtaining in England. In fact, I should prefer recruitment both of Buropeans and Natives by one and the same system, the centres of the examinations being hereafter two

33356 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that, "Natives of India" should still be soligible for appointment in England?—The eligibility of Natives of India to compete in England at the Indian Civil Service Examination must, I think, be slways maintained, irrespective has a toman, be savey an analysis of any decision that might be arrived at as to the proposal to hold simultaneous examination in India or as to the proposed recruitment by nomination or combined nomination and exam-

spend a couple of years in England as probe- \$3857 (11). Do you recommend any separate itionary period. This compulsory residence method of recruitment for the Jadicial branch of ... tionary person.

Should ordinarily meet the objection raised in the Indian Civil Service? If so, please describe certain quarters that, a simultaneous, examins—the system which grout would propose?—The should ordinarily meet the conjections massed materials the system which you mould, proposed—Theoretical forting the system which you mould, proposed—Theoretical forting for the manners, customs and habits of branch of Indian Civil Service. is not open to objection. But, I consider that a special and a better course of legal training (which I have stated in detail in answer to questions (37) and (38)) be made compulsory before they come to be appointed as District Indges. At present, there are 23 appointments in the Judicial branch of the Indian Civil Service in this Presidency besides the posts of Registrar, High Court, and Judicial Assistant in Káthiáwár. Out. of these only two are now held by Natives. ne entinervas, occase no ses presentes a social security and and a more and a social security. The security and security a quarter of a century or more, the number of passes will be appreciably large. However, I am propose that one-third of such reserved appropriate. propose that one-third of such reserved appoint... proportion of Natives will gradually increase, proved ment and capacity, the remaining two-Native officers with such high intellectual attain. thirds theing recruited from out of advocates. ments and well developed character might legitin, and pleaders practising in the High. Court and a mately be expected to possess a due, sense of a in District Courts.

33358 (35). Are you satisfied with the present -I have not to suggest any alteration in the

present system. 33359 (36). Do you consider that there has been any deterioration in the knowledge of the ladian languages possessed by members of the Indian Civil: Service? If so, what care the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not from personal experience in a position to say if the knowledge of vernacomparatively small and even the Daftardars and Chitnises to Collectors, in old days, were purely vernacular knowing men. It was, therefore, incombent for officers to have an intimate knowledge of versacelars to be able to understand daily routine correspondence, bulk of which was carried on in vernacular. My experience is that European Civilians of the present day can-generally follow the statements of witnesses. made in Court or petitions read out, but often they are found lacking in that intimate know-ledge which is essential for a free and direct intercourse with the people with whom they daily come in contact in the discharge of their official duties. This evil would be easily remedied by prescribing a stricter test than at present apparently obtains. A better knowledge of the vernaculars is also desirable from administra teative point of view.

33360 (37). Please give your views as to what steps (if they are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distin guishing between recommendations applicable to all officers and to officers selected for the Judicial branch? (38) Do you recommend pay

special courie of shudy in law in India for officere' selected for the Judicial braich? "(37-8) Under' extaining conditions, Civilians come to be invested with powers of Sch-Divisional Majestaneta and Magistaneta, let Dlass, after a service of orce two years and after passing prescribed departmental examinations. A fair knowledge of Cirimian Luw and Procedure and Bridenic Act is acquire, edd by this time and it must be admitted that most of them make yood Magistaneta after some expireience. But, I would still recommend that they should watch the working of Sessions Court for a term of three months. The experience this gathed will materially tend to

improve the tone of Criminal administration.

Judicial Branch. It cannot be denied that under present system of recruitment for the Judicial Branch, Civilians have hardly any knowledge of the Civil Law when they are selected for it. At present, an Assistant Judge is required to do original Civil work for nearly six months before he is invested with powers to hear appeals. But, the instruction received and experience gained during this time is not in the least sufficient to make them "efficient Civil Judges. Several years elapse before they acquire adequate insight into Civil Law. But, during this period of virtual probation instances occur where miscarriage of instice takes place for want of requisite knowledge of Law. They also feel their own weak-ness in not being able intelligently to follow the arguments advanced by the Pleaders for either side, and this state of things naturally tends to weaken the confidence and respect which the Bench dught always to command

I would propose the following alternative prancies—i) berry Givilian selected for the Jadicial Brasich should be made to spoul one year at the "light Coart. He should attend that the best of the should attend that the best of the should attend that the best of the should attend that the light Coart and should as the end of such period pass such test in Givil Law as the High Court may presently, or (ii) be thus be placed as an apprentice with the Advancate-tiencend or any seam reacher with the Bar who should certify that he has fully utilised his ister in gaining the necessary legal training. Even under this system the examination recommended above should be insisted upon.

8383 (29). Do you recommend any spécial training in sabordinate judicial posts in India for Officers selected for the Judicial branch II so, please give details?—If either of the recommendations made in the above answer be found acceptable, then I do not see the necessity of gring Civilians special training in sabordinate judicial posts.

88882 (47). Turning now to the case of the Statancy Childran and officers of the Provincial Civil Services holding listed poets, do you approve of the errangement by which they drew salary approximately at the rate of two-thirds of the pag drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service T—The differentiation now observed in the salaries of Urylinan and those of members of the Trovincial Civil Service holding listed appointments cannot be justified on any considerations. If Government expects the latter to muintain the same high position as that of

the former and it they are required to discharge the dulies appartaining to the office with equal fitness, it is but fair and just that both classes should receive equal treatment in the matter of salary.

# Writton Answers relating to the Provincial Civil

33863. N.B.—Under this head, I have contined my remarks to the Juicinal branch's alone sand have instead of giving neavers to the arround questions, stated in brief the scheme I would advocate for recruitment, pay, and proposition in this branch. The present rules are to be found printed as accompaniument to Government Resolution (Bornbay), Revence Department, No. 1112, dated 2nd February 11912.

The age-limit as given there is 30. Bachelors of Laws ordinarily are not sinder 25 years of age The list of at the time of taking their degrees. candidates is now so full that many get barred by age-limit and to avoid such a bar some take to service in the lower grades of the Subordinate Judicial establishment. Only a few succeed in securing qualifying appointments. To have to accept such posts is, to a certain extent, demoralizing, and such men practically lose all touch with current legal literature and cannot be expected to turn out as efficient Judges as they would, if directly recruited while in actual practice. As a matter of fact, the period of three years prescribed for admission to the Provincial Civil Service is insufficient in the present state of the legal profession to equip candidates for the posts of Sub-Judges with the practical experience which it was the object of the rules to secure.

I would, therefore, propose to extend the agelimit from 30 to 35 years in order to secure for the Judicial service men of nature practical exparience. Practice at the Bar for three or few years in the present crowded state of the prolession hardly means any practice worth the name; much less could it be called fall and oper/scowe as required by the rules. I find that a similar vextension of age-limit was santioned for fidentia in 1019 with a suggestion from the Scenetary of State to the Government of India to take into consideration the question whether a similar change should not be made in other Provinces. Simultaneously with the extension of age-limit the pay of the last grade of Sub-Judges should be resised from 18. 150 to Re. 250. If the services of really capable lawyers are to be secured, I would arrange the presengrades of 2nd Class Sub-Judges in four grades of Re. 250, 300, 350 and 400.

In the Presidency proper there are in all 17-18t. Class Sub-Jodges and 3 Small Gause Court Judgen divided into three gordes. The peconiary junisdiction of such coarts is unlimited and the work is, therefore, necessarily more important, responsible and onerests. Sub-Judges from this class are invariably invested with appellate powers. Recruitment for this class should, therefore, be made firstly from 2 and Class Sub-ordinate Judges of proved merit and secondly from amongst knowaghty completent practising pleaders in the High Court and District Courts, interspective of age-limit. I think the proportion of such direct recruits to the total number should be 10 s or 1 to 4.

420

Continued.

A reform of the method of recruitment for the Judicial service (Imperial and Provincial) on the lines above indicated will, I have every hope. open a new field for deserving members of the Bar, and while it will serve as an incentive to

Mr. GANESH KRISHNA SATHE, called and examined.

33364. (Chairman.) You are a Pleader, are you not ?- Yes.

23365. Where do you practise ?- In Sholapur. 33366. To what caste do you belong?-Brahman,

33367. Do you fill any public posts?—I have been the elected President of the Municipality for the last five years. It is like a town Corporation. 33368. You desire to see simultaneous exa-

minations established ?- Yes, 33369. You say you think that it is most unlikely that at least for a quarter of a century the number of those who pass will be appreciably

large ?-At least for some time it will not be

aspreciably large.
33870. Do you regard this as a monit or
demerit?—I look at it from a point of view that if it is not to be introduced on the ground that the tone of the British administration would suffer, then that apprehension would have no ground for some time to come. I do not mean thereby that more Indians will not be in a position to overcome all the difficulties which are now in their way and that will be for some time in their way. I have spoken of the difficulties in my answer to question

33871. You recognize the need for Europeans in the administration? Decidedly. I do main-

tain that a tone ought to be kept.

33372. At the same time, you want to see more Indians admitted into the Service?—That is what I think.

33373. You anticipate that under your scheme only a very few more will be admitted for the

next quarter of a century?—Yes.

33374. Would you accept a proposal for
establishing an eramination in India supplementary to the one in England, which would offer opportunities to Indians for a limited number of vacancies?

Yes; as the next best.

You would like to see the Judiciary 38375. recruited partly from the Indian Civil Service, partly from the Bar and partly from the Subordinate Judges. What proportion from the Indian Civil Service would you like to see ?- I have given one-half as the number from the Indian Service; and the rest of the one-half, one-third from the Subordinate Judges, and two-thirds from the practising lawyers and advocates.

35376. How many years' practice would you require from those from the Bar?—Not less than

ten years, at any rate.

83377. You think a good class of men could be induced to join the Judiciary from the Bar?— Provided the chances of promotion are as good as they are for the Civilians, and provided they give good salaries, I do not see why it should not induce good people to come into the Judiciary. 33378 You think it is good for the Judiciary

to be recruited from different sources ?- I think

33879. Not all from the same source, but from varying elements: in that way you think it would give strength to the Judiciary?—Yes.

.33350. I assume from your desire to see half recruited from the Indian Civil Service that you

loyalty and to hard and honest work among the legal practitioners as a class, it will attract to the Public Service really deserving men of practical experience and capacity.

think that the training in that service in the Executive line is of use to a man who ultimately becomes a Judge ?-Yes. It is not at present availed of. There is no system under which that training can be obtained by Civilians before they are made full Judges.

You are anxious to see a much more 33381. definite and scientific form of training in law for the Civilian ?-Yes. There should be some test.

\$3382. Not only as a test, I take it, but you would like to see proper training too ?- Yes.

33383. As regards the ray in the Provincial Civil Service, do you think that that is adequate at present?—I am only referring to the Judicial Branch of the Provincial Civil Service. I think I have suggested some change. If they begin at Rs. 250 I think that is adequate. I should Rs. 200 I tunk outs is susquare. A should like to see them begin at Rs. 250 and go up to Rs. 800 or Rs. 1,000. The present scale is Rs. 150, which is ridiculously low.

35384. You would like to see an increase of

Rs. 100 a month in the lowest grade? · Yes.

\$3385. Would you favour a time-scale of pay, or would you leave the different grades as they are, and have promotion by seniority from one grade to the other?-By seniority and by merit and capacity.

38886.

And by selection ?-The general rule is that officers in the grades of which the pay is Rs. 500 or more are selected by seniority and proved merit.

33337. Therefore, you would continue the same system except that you would slightly alter the grades. You would raise the lowest grade to Rs. 250?—Yes. In view of the recommenda-tion I have made I think practising lawyers of

come standing should be induced to join.
33338. (Sir Murray Hammick.) Where do you ractise as a pleader?-Sholapur, a district town

in this Presidency, 33889. How long have you been practising there?—Seventeen years. 33390. Are you a Native of that district?-

I am a Native of Poons.

33391. You think that the present Civilian as a rule can make himself understood in the vernacular, and talk to witnesses, but you would like to see him do so in better language?—I do not mean to say that he can talk to witnesses in the vernacular, but he can follow by the context what is stated while the examination goes on. He finds it difficult to talk to vernacular-knowing witnesses.

38392. But do not the Magistrates in Sholapur put questions to witnesses in Marathi 2-Very few of whom I am aware. They do so through

their sherishtadars or clerks.

\$3393. De you practise in the District Court much? - Principally, in the District Court, the Sessions Court.

33394. Does not the Judge at Sholapur know Marathi enough to cross-examine witnesses fairly well?-The present Judge; but the majority of them did not know.

But the present one knows ?- Yes. 33395. 333-6. Do you know the District Magistrate in Sholapur?-Yes. Mr. Ganese Krishna Sathe.

Continued.

33397. Does he know Marathi pretty well?-He can understand what others say in the

vernacular. 33398. Is there on Assistant Collector at Sholapur?—He happens to be a Parsee, so that he

knows Marathi very well. \$3399. Is there no other English officer in

Sholapur District except the District Judge and the Collector ?-There is the Civil Surgeon. 88400. I mean Civilian?-There is nobody

33401. You do not think it necessary for

Ovilians to go to England for any training to become Judges?—No. I think the alternative which I have proposed would bring about the desired result. 39402. You have never been in England your-

self?—No, I have not been to England.
33403. But you think that a Civilian by

attending the High Court, and by examining the work on the Appellate and Original Benches for some time, would be able to do his Civil work all right?-Yes. In addition to that I am of opinion that some test should be prescribed.

33404. Some examination in law?—Yes. 38405. And you do not think he ought to

serve as Assistant Judge for any time?-No, because that probationary period is served at the cost of justice. Many instances occur where a miscarriage of justice happens on account of their inadequate knowledge of law.

33406. You propose to make him straight off a District Judge?—Yes, after he has spent one year in the High Court Appellate Bench, Original

Side and passed the test.

\$3407. Do you not think after a year of training in the High Court he might be made first of all an Assistant District Judge and allowed to take cases sent to him by the District Judge ?-After all his training, if he is appointed an Assistant Judge it is better than appointing him a District ge at once 83408. You think that the Provincial Civil

Service officers holding listed appointments ought to get the same pay as the Indian Civil Service men ?-Yes.

33409. You do not think they ought to get the two-thirds that they get now?—No. 33410. You would like to see the age limit

for the appointment of Subordinate Judges raised to 35?—Yes.

33411. That is the age in Madras, is it not? 83412. You would like to see it brought up

to that age here?—Yes.
33413. (Mr. Mandonald.) Do you practise over a pretty wide district?—I practise over the

whole district. 38414. You come into contact with one of the District Judges?—Yes. There are eight

Subordinate Judges, and seven or eight Magis-

83415. What nationality are the eigh Subordinate Judges? - Most of them are Hindus. 33416. They have been appointed under the existing rules and regulations?—Yes, under the Act. 14 of 1869. I think as far as the recruitment of the Subordinate Judicial Service is

concerned the system has been the same. "33417. There is no complaint about the method of appointment?—No, I am not aware of any.

\$\$418. They appoint as good men as they can reasonably lay their hands upon ?—Yes. The only thing that comes in their way is selecting people who are only under thirty. I have made

reference to that in my note.

33419. I am referring to things which are not in your note. The Judge, you say, would come into contact with seven Magistrates?-Yes. Each Táluka has got a Magistrate, so that there are about seven blagistrates of the second and seven first class.

33420. They are also appointed under these rules?—They are appointed under the rules which are called the Provincial Civil Service Rules of the Executive Branch, men of Mamlatdars'

grades and Deputy Collectors' grades.

33421. Has there been any complaint as to
how they have been appointed?—No, there has
been no complaint at all.

33422. The selection has been from just as good men, as good as could be obtained, to fill the posts?-Yes. In the case of some Magistrates who come from the Mamlatdars' grades there is a regular service which is called the Subordinate Service, from amongst whom they are selected after they have passed certain examinations. 33423. I understand the system.

regard to selecting from the Subordinate Service, have you ever heard that selections are by favouritism more than by merit?-I have not heard of it.

23424. So that, you have no complaints about that ? - No.

33425. (Mr. Chanbal.) You are an Assistant Public Prosecutor in Sholapur ?-Yes.

33426. How many years have you held that post? - For over ten years.

33427. You are at present a nominated member of the Legislative Council of Bombay?—

33428. You have had considerable criminal and civil practice throughout the District?-

33429. With regard to these questions about the recruitment to the Provincial Civil Service in the Executive Branch, are the Mamlatdars appointed by any competitive examination ?- They are. It was formerly called the lower standard and the higher standard.

33430. The lower standard and the higher

standard are examinations which persons employed in the Revenue Branch have got to go through before they come to a particular grade. What I want to know is, are Mamlatdars, as Mamlatdars, recruited by any competitive examination?—

33431. The greater proportion of the gentlemen who fill these posts are persons who have risen from the lower service?—Yes.

33422. They get from Rs. 20 to Rs. 25, do they not?—Yes. They begin with Rs. 20 or Rs. 80.

33433. And they gradually rise up to Mamlatdars?-Yes.

\$2434. Have you any idea of how many it takes a man who gets into the service on Rs. 20 a month to become a Mamlatdar?-That depends upon whether you find the list full, or not. I think ten years may be taken to be the ordinary

\$3435. My question is this. Take the Judieinl line and take the Executive line. The public has a certain opinion about the class of officers who soon after taking their degrees, and after the education thoy get, are at once brought into a fairly comfortable position on Rs. 150 or Rs. 200 as Subordinate Judges —Yes. 33436. And side by side with them, you find

here a class of people who get not the Service on Rs. 20 and Rs. 25 a month, and who then gradually rise up to be Mamlatdars or any higher grades. Do you think that the public is satisfied with the latter class of officers who have been brought up to high posts in this way ?-I think the former

command greater confidence than the latter. 38437. Is not that the nature of your complaint so far as these so called qualifying high posts

go in the Judicial line?-Yes. 33438. Therefore, if you get a man properly trained for the work you would rather bring him at once into a Subordinate Judge's place than make

him work for any number of years on Rs. 30 or Rs. 40? - Yes.

33439. I want to know whether all the Judicial work of the District, Civil and Criminal, is now done in the same branch of the Service?-The Magisterial work and the work of a Civil character which comes under the Manlatdar's Court, are done by Mamlatdars and Deputy Collectors. The Sessions Court work is done by the Sessions Judge.

33440. Therefore, the present Judicial branch is not the branch which disposes of the whole of the Judicial work of the District?—No, so far as the Subordinate Judges are concerned they only dispose of Civil work. It is only the Sessions Judge in whom is combined the office of District

Judge. 33441. Is public opinion satisfied with this duties in the same officombination of the two duties in the same officar?-If my impression is correct, they are not

satisfied. 33442. You have been, I know, seventeen years practising in the District, and as I happen to know the amount of practice you have, will you kindly tell the Commissioners why it is you say that the public object to this combination? Can you give me the reasons which the public are feeling as to why they complain about this combination ?- I think the reasons may be three or four. I have not attempted to answer that ques-tion, though I have some views on the point. Generally speaking, these Magistrates are touring officers for eight months in the year, and that means a lot of trouble, not only to the parties but to witnesses; and in some cases they do not even find it convenient to secure legal help. If I were to speak something on the side of Government in this respect, I think they have also to spend a good deal on batta and maintenance allowance, and so forth, because witnesses and parties of one Taluka have to go distances, senetimes forty or fifty miles, following the Mingstitza, wherever he is, and the cases is not generally finished to over aday's hearing, or it may be in two days' hearing. That is one of may rection. Whe escend reason is that there do arise cases in which we find that these Magistrates docade, not according to the extrict letter of the law, where questions of the policy of Government are concerned. I do not leave that any ressure, is brought upon them, not in the law, they are the party havy that own inclinations in the quater, and the property of the property have to go distances, sometimes forty or fifty miles,

might not like to go against that principle or policy. However, that is my own opinion. I do not know whether it is correct or not.

33443. You mean that they may be biassed by the views which they think are held in superior quarters?—Yes.

33444. Is there any other reason?-No. 33445. Do you think that a person who works, say, for eight or ten years in the Excentive Branch retains, or whether there is a tendency to lose, what is known as the judicial frame of mind? Take a person who has taken his degree in law, or whatever it is, and he works in the Executive Branch; say for eight or ten years ?- I think that atmoere has some effect

33446. What kind of effect?—That indepen-dence which we require of Judges may be shaken

to some extent.

83447. You mean it has rather a tendency to destroy the judicial frame of mind, if I am not utting it too strongly ?- The word "rather" does not mean strongly.

33448. In your District there are often years of scarcity, are there not?—Yes. 33449. In those days, the Subordinate Judges of the District are invested with Magisterial

powers, are they not?—Yes. I am aware of three cases in which that was the case. 33450. You have said that these Subordinate

Judges do criminal work ?-Yes, and I should say it is satisfactory. 33451.

What is the opinion of the Bar generally, and of the public, as to the way in which the Subordinate Judges on these occasions do their work?—I think the opinion is that they do their work creditably.

38452. Have you had the opportunity of appearing and practising before Assistant Judges and Sessions Judges and District Judges who have never served as Assistant Collectors or gone through the Executive Branch at any time ?-Un-

fortunately, I have not had that experience.

33453. Were you not at Sholapur when
Mr. Tipnis was there?—No, I was not practising there at that time.

33454. You mentioned a District Judge at resent who is believed to understand the language. Is not Mr. De Souza there now?-Yes,

83455. So that you cannot eite that as a case of a European who does not know the language?—

He is from this country.

33456. On this question of language, I put it to you with your experience, Suppose, you bring a Civilian of three, four, five, or eight years' standing, and you make him sit here, and you and I were to speak in Marathi on any point, do you think that he would be able to follow us?—No.

33457. (Sir Theodore Morison.) Will you give the Commission the advantage of your experience upon this point? It has been suggested to us that a Pleader, or a Barrister, or a legal practitioner who is in good practice in the District Courts, would not be willing to take a District Judgeship, that you could not get good men, but only failures, because they make larger incomes outside ?—I do not hold that opinion.

38458. You could not get the cream of the High Court, could you get the cream of the Dis-trict Bar 7—That will depend upon what start you will give him. Supposing, the best man, in the District, standing first in the own district, is given

Mr. Ganesh Krishna Sathe.

[continued.

the appointment, to start with, of Assistant Judge on Rs. 800 or so, I think there is no reason why

he should refuse it. 38460. You think it is probable that he would take it ?-Yes.

33461. You think that the chances are at

least even that he would take it?—Yes. 33462. That is to say, if prospects of his

rising up to other appointments, say to that of a Judge, were given to him ?-Yes.

33463. I presume, that a salary of Rs. 800 is much less than the income he would be really making at the Bar?-That would depend upon

the condition of prosperity in the District.

33464. I do not know the scale of professional incomes on the Bombay side?—There are some Districts which are very poor Districts, for instance, Shelapur, and the District of Abmednagar. There are other Districts, Belgaum, Dharwar and Thana for instance, where the income of a first-class Pleader may be nearly Rs. 1,000 or so. 33465. What would be the value of a

practics in a large and prosperous town such as Ahmedahad?—I am not aware of that. It may be one of the places where the income may be even more than Rs. 1,000. There are some practising Advocates and Barristers there, and it is a judicially combined district.

\$3466. And there the incomes would be very much more than Rs. 800?-Yes, I think so. It is only my surmise. I have no definite information upon that point.

88467. You recommend two years' probation in England, do you not?-Yes, on the top of simultaneous examination. I think a man imbibes all those good qualities which we want for administration.

33468. Let us put aside what we think he ought to acquire. What is your experience of people who have actually been to England, and people who have accessly lear to impact, and of people who have had all their education in India: which is the best lot?—I do not think I can differentiate between the two. There may be some of the best people among those who have not gone to England.

83469. Do you think you could mention some who have done very well who have not been to England or have only been to England late in life?—It depends upon how that man would have turned out had be gone to England. Supposing, five men go to England, and they exhibited certain hve men go to England, and anoy extended certain qualities after they returned, whether their stay in England had done them good or not depends upon the capacity of the mag. I am not prepared to answer the question.

33470. Do I understand you to say that the evidence is so doubtful that you are not sure whether it is an advantage or not to go to England ?-I think it would be an advantage to go to England.

33471. Then apart from theoretical grounds that it ought to do good, I want to know what your experience tells us. An answer without experience is rather ambiguous?—I do not think I can be of any use in removing that ambiguity.

33472. (Mr. Heaton.) You spoke of cases of injustice in trials and in the disposal of Civil suits; you were referring, I think, were you not, to the cases which a young Assistant Judge tries when he first comes into the Department?-Yes.

33473. Your complaint is that he has had no Judicial experience at that time, and that he has had insufficient training ?-Yes.

33474. You advocate a much more thorough

training?-Yes.
33475. You would like to see a test like that

of the LL.B. ?-Yes, something like that, 33476. I suppose, you would agree that a training like that might just as well be acquired by reading before he goes out to India at all?-I do not think it is necessary in the Executive

Branch 33477. I was thinking of Judicial officers those who are afterwards to go into the Judicial Department: I was wondering whether you thought a training out here was necessarily better than a training in England?—I think the oppor-tunities here are much more favourable. Under the two systems I have advocated, he will be more in touch with what is going on in the Province, and at the same time he will be required to pass a

and as we state that the wife of the seriain test in law.

33478. You have bad some experience of the Subordinate Judges doing Magisterial work during famine years, have you not?—Yes.

88479. Are there any serious difficulties about arranging the Criminal work and the Civil work?—No. What they used to do was to allocate two days out of the week to Criminal work and the remaining four days to Civil work,

33480. They got over the difficulty in that way quite easily?—Yes.
33481. With reference to the income of

Pleaders, it is one of your great complaints that the fees which our present system enables you to take are really insufficient?—The scale of fees prevailing in this Presidency compared with the scale of fees in other Presidencies is small, 33482. You do not especially recommend that

there should be a special method of recruitment to the Judicial Branch ?-I recommend a mixture of three methods.

33483. I was thinking of the Civil Service for the moment: it is the training you recommend especially?—Yes. 33484. So tha

So that you do not think there is any inherent disadvantage about the competitive examination and the appointment of Civilians; if they can get the training they will make just as good Judges as anyone else?—Yes.

33485. (Mr. Bhadhhade.) In your answer relating to the Provincial Civil Service I see that you object to the age limit? - Yes.

33486. Is the ground you give there your only objection, or have you any other objection to urge?

No, I have no other objection to urge. Increasing the age-limit is the only objection.

33487. Do you know of the so-called qualifying posts?-Yes.

33488. Are they such as to afford a proper training to future Subordinate Judges?—There is only one such place.

33489. There are many more, I will draw your attention to these rales where they refer to the Nazir?—The Nazir hardly gets any knowledge of law. The Head Clerk only drafts letters and takes them to the Judge.

38490. There are many posts then which are not in your opinion qualifying posts?—Clerks of the District Courts are always in touch with Judicial work, because they sit with the Judge when the work is being conducted in the Court. 12th March 1918.7

Mr. GANESH KRISHNA SATHE.

Feoncluded.

33491. You advocate a recruitment from the

Ber for District Judgeships ?-Yes.

nor nor dispute oungestups:—1es.
33492. Would not that create some difficulty in the matter of grading the recruits?—I do not see any difficulty in it.

see any difficulty in it.

38493. Do you think that new recruits from
the Bar should be appointed District Judges?—
They might be made Assistant Judges.

38494. On what salary should they start?—

The question of salary has never been looked upon by me as an important one. They might begin at

Rs. 700 or Rs. 800. 33495. It appears to me that you do give rather an exaggerated view, though not an intentional one, about the income of district Pleaders?-I was asked about the best men. I think the income of the best men remains stationary. But, I do admit that in the present state of the crowded profession incomes have fallen-off. Incomes, how-

ever, of the first men in the District, I maintain, have not fallen off.

33496. How many such men at the top are there: I suppose you could count them on your fingers ?-There may be only two or three; that

ie all

\$3497. You have said that Assistant Judges do not make good lawyers. Do you know that under the same system there have been eminent Judges like Sir Raymond West and Sir Maxwell Meivili; they were eminent Judges?—Yes, extendly; but I do not know what they were when they were appointed Assistant Judges. 38498. How do you account for the fact that

they became so eminent if they grew up under the same system, and rose up to the High Court?-I know of instances of Assistant Judges in my own District who have become good Judges.

(The witness withdrew.)

(Adjourned to Nagpur.)

# LIST OF APPENDICES.

- 1							PAGES.
	emorandum on the In- sion by the Governmen			ared for the	Royal Comt		429-461
II.—M 1	emorandum on the Bo Royal Commission by	mbay Provi he Govern	iscial Civil neut of Bo	Service pr mbay	pared for		462—468
8	escriptive Memorandur and Judicial Branches Government of Bomba	) prepared	mbay Pros for the	incial Sers Royal Com	ica (Execu mission by	the	469—502
	ocial Memorandum or prepared for the Royal						503—511
8	evised Compilation of l and Deputy Collector Sombay Government ,	s referred	ng to the E to in Ma 	zamination moranda p	s of Assist epared by	the	512-521
ī	st of Proposels filed by regarding improved gr Minutes of Evidence, I	adstion of p	ay in the I	ndian Civil	Service (i	ide	523—525
a t	ficials, Non-officials at the request of the Ro he interrogatories pri who were not orally ex-	yal Commi nted on po	sion, farni ges v—xx	shed writte	n answers	to	526
f	ficials, Non-officials an urnished written ansu exvii of this volume in lazette, but who were:	response	interrogato to a notif	ries printed ication pub	on pages v	be	527
	lancoto, but and acre.	son greens? or	Thursday.	***	***	***	941

### APPENDIX I.

### Memorandum on the Indian Civil Service prepared for the Royal Commission by the Government of Bombay.

## TABLE OF CONTENTS.

#### CHAPTER I.

PAGES,

Methods of Recruitment-	-					
(a) General		***		***	***	429
Statement shewing the or Civil Service in the last	der of ten 3	merit of candid ears and who w	ates who were place	selected the	Home the first	481
twenty	•••	· ,	•••		•••	401
		CHAPTER II				
Methods of Recruitment-						
(b) Age-limits					·.ì.	432
		CHAPTER II				
Methods of Recruitment-		CEAPIER II	١,			
(c) Subjects of Exami	natior					433
(c) projects or myant	manor		***	•••		400
		CHAPTER IV	7	and the	4	
Methods of Recruitment-		,				
(d) Statutory Regulat			:		;	434
List of the Natives of Indi		resent serving is	the In	lian Civil Se	rvice on	202
the Bombay Establishme		. ***				436
		CHAPTER V.		100	1	
15.0 1 635		CHAPTER V.	119		*	
Methods of Recruitment— (e) Mixed Commission						
(e) Mixed Commission	18	•••	***	, ··· ·	1 ***	486
		CHAPTER VI		4		
Methods of Recruitment-		*				
<ul><li>(f) Listed Posts</li></ul>	***			***		437
		OTT - DESIGN TO			,	
0		CHAPTER VI	١,	1 .		
Systems of Probation and	rramı	ng :			1	
(a) Probation	***	***	•••	. 100		438
		CHAPTER VI	II.	*.		
Systems of Probation and	Train	ino				
(i) Training	***		***	***		441
		OHADEED TV				
Conditions of Service		CHAPTER IX	•			
COMMISSIONS OF SERVICE	•••	•••	***	***	•••	442
		CHAPTER X				
Conditions of Salary	***	***		***		444
		CHAPTER XI				
Conditions of Leave		CHAPTER AI	•			
CORGINOUS OF HEAVE	***		•••	•••		444
		CHAPTER XII	ί.			
Conditions of Pension	,,,	***	***	•••		145
		ANNEXURES				
Aunexures to Chapter IX		T111177 () () () () () () () () () () () () ()				446
Annexures to Chapter X	***		***	***		457
Annexures to Chapter XI			***	• •••	***	459
AND OF CHAPTER AND	•••	•••		. 149	***	30B

#### APPENDIX I

hlemorandum on the Indian Civil Service prepared for the Royal Commission by the Government of Bombay.

CHAPTER I.

Merhods of Recruitment.

(a) General.

1. Since the competitive system of appointment to the Indian Civil Service was first promulgated by the East

India Company Act of 1858 his merits and demerits have been on several ocasions exhaustively avantined. In the year 1875 the Scoretary of State initiated a discussion which clicited a comprehensive body of opinion, including that of the most eminent authorities of the day, the preponderance of which, in respect both of the number and of the weight of the suffrages, is embodied in the views expressed.

Pace 113, Geremment of India Meson on I.O.S. India in their despatch of the 30th September 1876 to the Secretary of State for India, at that time Lord Salisbury, by whom they were endowed:—

endowed:—
"With appear to the pursual retails of free competition for the lattine Gril Service, we consider that the extractions which has been given about the contraction of Indian which has been given and the contraction of the contraction of the contraction of the contraction of the of life 1858 has the conder was subthetely analyte endires the favorable influence that expressed has complete and the favorable influence that the present to originate the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the definition of the contraction of the contract

enhanced by the circumstance that they were delivered at a time when the competitive system was still to some extent upon probation and a vigorous opposition survived, when the advantages, real and supposed, of the pre-existing ages, real and supposed, of 100 pre-existing system were constantly resulted and emphasized by warm and able advocates, and when the best results of the new regime still awaited mature recognition. These results can now be reviewed in the light of the experience of reviewed in the light of the experience of nearly sixty years, and on the whole the favourable verdict of those early judges has been confirmed and endorsed by the record of Indian administration during this period. If it is true that this record does not contain names so brilliant as those of Hastings and Malcolm, of Eiphinstone and Frere, this is perhaps to be attributed to the circumstance that an opech of consolidation admits less of individual brilliancy than one of conquest and expansion; and the unbroken succession of administrators of distinguished ability, by whose labours the present constitution of the Indian Government has since been in a large measure elaborated, would have been ill exchanged for sporadic instances of exceptional eminence. If this is true of the men who have occupied the highest posts in the administration, it can be affirmed with equal truth that the qualifications brought to the dis-charge of less conspicuous but not less indispensable functions during the same period will not suffer by comparison with the best results of nomination in the same sphere of duties. In spite of the vastly increased demands, both in volume and in intricacy, of the business of Government, which are by no means proportionately represented by the concurrent reinforcement of the cadre of the service, it is not too much to say that the present general standard of N. B.—The figures in the margin refer to the numbers of the interrogatories drawn up by the Royal Commission which are dealt with in the text (wide pp. v—xxxvii).

efficiency has not here arrayesed at any province time or noder any other method of recruitment. Even if the competitive principle had been less fruitful of successful results, both particular leggencial, twood the possible to absardon it only if it were found that obasped conditions demanded a revision of the principle of recruitment. Here if it had proved a fairny of difficulty of finding a substitute would be, if not, as Lord Sulbioury pronounced in 1876, inapperdals, at all creats are unterprise requiring the

most anxious care and deliberation. The principle of nomination definitely succombed to administrativo necessities and the pressure of public opinion in 1858. In the years that have since elapsed, public opinion on such matters has become at once wider and more sensitive; the comparatively small number of educational institutions of the first rank has greatly multiplied, and their relations to the educational system of the country have become more highly co-ordinated, while even the texture of society has been greatly altered. These considerations profoundly modify the problem of devising any feasible method of nomination and they modify it, so far as English conditions are concerned, in an unfavourable sense. Whether the sagneity of public school masters or University Syndics would prove less fallible than the existing method may be arguable; but what is of present importance is to examine, in the light of our experience of 50 years, in relation to the Indian product of the competitive system, whether a modification can be justified. This will be done in a separate memorandum which contains constructive proposals which this Government submit for the consideration of the Commission.

at one to the consistence of the confinition of the

marked degree. their case, instead of the guarantees above alluded to there is only the presumption of moral qualities beyond the average evinced by the resolve and the ability to compete under admittedly serious difficulties and, in addition, the period of contact with English ideas and institutions which is almost necessarily entailed. In the existing system based mainly upon the statutory powers conferred by the Act of 1870 and the regulations of the Provincial Civil Service, the position of successful Indian com-petitors for the Indian Civil Service is exceptional, and this is expressly recognized by the fact that in computing the proportion of Europeans in the administration held to be indispensable—a principle first definitely recogmaispensator—— principle are deliberly recog-uized by the Statutory Bules of 1879—the Indian members are not distinguished from the European members of that service. Subject to this important reservation, it may be said that the principles affirmed in 1860 by the Duke of Argyll, which id this to the conclusion that public competition is not a suitable system for the recruitment of indires of Indin, apply pleas rigore at the presont day. The system has been tried in India at various periods and has proved a failure. The experience which has been guined of its application, under bably the most favourable conditions that are likely to be obtained to the Statetory and Provincial Services is conclusive against its ancess when applied to a case of much greater difficulty and connective.

difficulty and complexity. 4. The specific proposal to institute simulcompetitivo taneous examinations for the Indian Civil Service in India contemplates the establishment in India of examinations identical with those held in London, the successful candidates at both centres being brought on the same list and the appointments given in the order of merit. In forwarding a similar proposal for the consideration of the Government of India in 1893 the then Secretary of State, Lord Kimberley, observed that it was indispensable that an adequate number of the Civil Service should always be Europeans and that no scheme would be admissible which did not fulfil that essential condition. It is hardly open to question that the necessity for this condition is equally cogent at the present day and that it must in fact remain a fundamental and permanent principle of British policy in India. There is at least a possibility that unrestricted public competition in India would prove incompatible with the maintenance of this principle. Whether or not the immediate, or even the ultimate, effect of such a measure would be to reduce the European element to dangerously low proportions may be debated. It is argued that the inferior educational facilities available in India would prevent a large influx of Indians and might even result in a reduction of the number that now enter, owing to existing inducements to undergo preparation in England being withdrawn. Such degree of validity as this argument possesses could apply only to the earliest stages. The keen demand for facilities of such a nature would almost certainly result in the rise in India of special preparatory establish-ments, with the worst effect, incidentally, on existing educational institutions, a point which will be reverted to later. And, considering the vastly increased field of candidates, it is a matter almost of certainty that a much larger number would qualify than is at present the case, the test, except in its purely scholastic aspects, being much less arduous and exacting than is entailed by study and competition in Eugland. That the number of successful Indian caudidates would be reduced or that the European element would be submerged may be improbable. It is more reasonable to expect some material increase in Indian admissions in a ratio which cannot be precisely predicted. is certain, however, that if large failures of Indian candidates occurred, a loud demand for a lowering of standards would arise. In any event, it would be a grave mistake to introduce a system which violates an essential principle of the conditions of British rule or to make a concession which must either prove illusory or,

if effective, must be withdrawn.

In the separate memorandum to which reference has already been made, is discussed the

vitally important factor of character-training, which has a cogent bearing on this issue.

 Accepting, then, the inadmissibility of a system of unrestricted competition, it remains to be considered whether the grounds of objection can be met by resort to some form of limitation. The first and most obvious of such expedients is the proposal to throw open for competition in India such number of appointments only as may be considered compatible with the due maintenance of the European element. This procedure would obviously necessitate a consideration of the policy hitherto adopted by which, as has been noted above, Indian members of the Indian Civil Service have not been in this connection differentiated from their European colleagues and, in order to obviate the possibility of a serious disturbance of the proportion which might be determined upon, it might be necessary to declare Indians incligible for the competition held in London, In exchange for the valuable and highly prized privilege of entering the service by what Lord Macaulay termed "the best and most honourable way," it would only be possible to offer at the most some three appointments yearly.

Any extension beyond this limit would involve either a departure from the proportion adopted by the Public Services Commission in 1887, which there is nothing in the present state of affairs in India to justify, or an encroachment on the posts for which members of the Provincial Civil Service have been pronounced to be eligible. The effect of competition subject to a restriction of this nature would be to present, in a most invidious light, what is and must remain a necessity of our position in India, a result which would be accentuated, if, as might occasionally happen, rejected Indian can-didates attained a higher standard of marks than some of their successful contemporaries in England.

6. There are, further, certain practical difficulties in the way of conducting identical examinations in India which, though not in themselves of vital and decisive importance, are nevertheless sufficiently serious to merit careful consideration. The first relates to the danger, which is for various reasons considerably greater in India than in England, of secreey as to the entents of the questions set for examination not being mentained. The second is the difficulty which would be experienced in securing in India examiners qualified to carry out the wird were tests which are so important a part of the examination, especially in the case of modern languages and scientific subjects. The examiners in England are men of the highest distinction in their own provinces, and it would be impossible in India to obtain even an approximate degree of competence or to ensure uniformity of standard. This is so grave an impediment that it would probaby be necessary to dispense with oral examinations altogether,

in these important subjects. The same considerations in a greater or less degree would apply to the suggestion that the examinations should be conducted at any other Plan the most, and indeed only, appropriate centre, the capital of the Empire.

to the great detriment of the value of the test

\*N.B.—Seren is the largest number of Indians over admitted in one year. The average for the last fon years in 28 and that for the ten years immediately preceding is 33. For the trenty years the average is 300.

'7. To the alternative proposal of separate examinations in India, or in each province or group of provinces, whether ou a purely

competitive basis or with some collateral system of nomination, there are objections different in kind but not less weighty in their effect. These proposals practically amount to a reversion to the old statutory system which, after a prolonged trial, was discarded on the recommendation of the Public Services Com-mission of 1887. The grounds upon which this stop was taken are detailed in the Commission's report, and it is only necessary to observe here that, after various methods of nomination. competition and of combined nomination and competition, had been successively tried, it was found that in the one case the class of persons recruited proved generally unsatisfactory and in some cases incompetent, and in the other that we got precisely the same class of men as, without the superior inducements of the Statutory Service, had been obtained for the Uncovenanted Service. These results, under the system now being considered, would almost certainly be repeated and probably in an aggravated form. The Uncovenanted Service has developed into the Provincial Civil Service, with greatly improved prospects and a higher standard of morale and efficiency. The prizes offered by this service are already sufficient to scenre the most successful and ambitious of the educated youth of the country, and it would be from precisely this source that the candidates for admission to the public service by the other methods usually advocated would ordinarily be drawn. The present appears eminently an instance in which experience should effectually preclude any repetition of past mistakes. Dis-parity in training and antecedents, the method of their admission and the verdict of public opinion would alike reader it impossible to regard as an integral part of the Indian Civil Service recraits from such a source. The result would be a small and anomalous group outside the existing organization of the two Civil Services which would have an effect directly detrimental to both. It would be attained at great expense and without any compensatory advantage. There would, indeed, be the great disadvantage of interference with the existing system of combined promotion and selection which experience indicates to be in India the best means of securing the best men available. If there is to be a departure from the general principles, adopted, confirmed and approved after successive enquiries, it must have regard to wider considerations and be based upon a scheme of training of a more thorough kind than has hitherto been suggested as an alternative. Such a scheme is elaborated in the special memorandum already referred to.

8. An allusion has been made above to the detrimental consequences to the Indian educa-tional system which are likely to be ontailed by the institution of competitive examinations in India. This aspect of the case has been treated by the Commission of 1887, and there is little to add to the views which they expressed. The endeavour to inculcate a liberal conception of education has always been one of the gravest problems of Indian educational policy. To institute a still more direct connection than now exists between the course of studies ordinarily pursued at Indian universities and Government employment would stimulate into increased activity an influence which is already recognized as one of the greatest obstacles in the way of

establishing in India a closer approximation to European standards and ideals of scholarship and culture. It would be deplorable that this retrograde and injurious policy should be entertained on any grounds and still more so that it should be adopted with the ostensible purpose of securing for the service of India the best of her indigenous intellect.

9. It must be recognized that the purport of these remarks has been for the most part a criticism of various expedients, the intention of which is to open up a wider field to the legitiambition of Indians. None of the expedients hitherto suggested seems likely to prove as efficient as the present system, and the maintenance of efficiency is a sine qua non of any expedient. It is the view of this Government, moreover, that the scheme of simultaneous examinations in particular is calculated to perpetuate and accentuate the cardinal defect in the system which opens the door to Indians: namely, the absence of character-training in youth, without which it is impossible, with fairness to Indian officials, to expect the same standards, It is for this, among other reasons, that an attempt has been made, in a separate memorandum, to elaborate alternative proposals involving radical changes.

10. The above discussion of the main issues arising under the general question of recruit-ment may be concluded by briefly adverting to some of the subsidiary points which are

incidentally connected. Whatever conclusion is arrived as to the applicability of the competitive system to

Natives of India, it is clear that any differentiation in their case necessitates a substantive modification of the competitive principle. The admission of the principle of differentiation would almost certainly lead to a demand for its extension to other specific classes of Indian subjects. It would be claimed on behalf of communities conscious of their own importance and conscious also of their slender prospects of securing adequate representation under the assumed conditions. This is an objection the

gravity of which cannot be ignored.

11. The question as to the desirability of separate recruitment for the Judicial branch of the Indian Civil Service will be discussed at a later stage. The combination of the examination for the Home Civil Service with that for

the Indian Civil Service to the latter. The attached statements showing the number and position of those among the first twenty candidates who elected for the Home Civil Service requires no comment. The combination of the examination for the Colonial Civil Service does not appear to affect the

Statement showing the order of merit of candidates who selected the Home Civil Service in the last ten years and who were placed among the first twenty.

Indian Service detrimentally or otherwise

1911.-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 15, 16,

 $\begin{array}{lll} 1911, -1, 2, 3, 4, 5, 9, 7, 5, 9, 145, 69, 140, 160, 160, 171, 18, 19.\\ 1910, -1, 2, 3, 4, 7, 8, 9, 17, 20.\\ 1990, -1, 2, 4, 7, 8, 9, 17, 20.\\ 1990, -1, 2, 4, 7, 8, 9, 19, 11, 13, 14, 16, 19, 196, -1, 2, 3, 4, 5, 8, 9, 10, 11, 14, 16, 19, 196, -1, 2, 3, 4, 5, 8, 9, 10, 11, 14, 16, 18, 196, -1, 2, 3, 4, 5, 8, 9, 10, 11, 14, 16, 18, 196, -1, 2, 4, 5, 6, 7, 9, 13, 17, 194, -1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 16, 1903, -3, 4, 5, 8, 10, 12, 16, 20, 0, 1902, -3, 4, 5, 6, 9, 12, 13, 17, 18, 19. \end{array}$ 

CHAPTER II.

Methods of Recourners.

(b) Age-limits.

12. Assuming that the competitive principle, to far a recordinated in the competitive principle, to far a recordinated in must for the present he multitude, the practical question for consideration is whether the existing methods of putting it into practice are satisfactory and, if the answer is in the negative, in what respects they should be smeaded. Several proposals for varying and modifying the character of the test have already been considered and reasons given for their rejection. There are, however, certain features of the system-which, though not involving the principle, are nevertheless of the stances practical importance. On sord questions there must be, and

there is room for, diversity of opinion. 18. The first question which presents itself is at what age it is advisable to secure suitable candidates with special reference to the period and the nature of the noviciate through which they must pass before they are called upon to enter upon their active official career. Opinion on this suject has shown a tendency to diverge on two broad lines. The first contemplates, that candidates should be admitted at the age of leaving school, that they should then undergo a period of training more or less specialized with a view to Indian conditions, and that they should arrive in India at a more plastic and adaptable time of life than is likely to be the case with men who have completed a university education. These views more or less prevailed during the Haileybury period and from 1866 to 1891. The opposite school lays stress on the advantage of securing a higher standard of education, a more adult and developed character and greater knowledge of the world. The toens classicus on the subject is the following passage in Lord Macaulay's Committee's

"It is undoubtedly desirable that the Civil Sevent of the Company should enter on his duties while still young ; but it is also desirable that he should have received the best, the most flieshed someth flieshed denotation that his native country affords. Such an education has been proved by caparisone to be the best preparation for every calling, which requires the accessed of the higher powers of his unit's row will be easy to show that such preparation is less desirable in the case of a Civil Servant of the Rast India Company than in the case of a professional man in England. Indeed, in the case of the Civil Servant of the Country, a good general education is even more definable."

(18) a satisfactory cettes, and to secured by, the application of this theory are that the Indian Civil Servant should be at completely equipped as possible with intellectual resources, both natural and acquired, and that he should be fully imbout with the principles of polity and conduct on which British public hastitutions, including the administration of Johis, are based. Having passed some years not only of adolescence. Having passed some years not only of adolescence should be administration of John and the second section, in assection and in healthy triarly with consensual continuous continuous and the section of passed of professional or pathic vocations in Great Britain and troughout the Engire, he may naturally be expected to have imbibed some knowledge of tone and affairs and to have

nonured habits of self-control, energy and initiative. He then arrives in India at a more mature age and better fitted for the immediate assumption of important and responsible duties than if he commences his active career at an earlier period of life. All these are considerations of the first importance, but it is obvious that they cannot be completely secured without uses rang cannot be completely secured without certain concentiant disadvantages and without the sacrifice of other objects which demand at least equal weight. Albatrity of character is apt to be accompanied by a certain stiffness and last: of adaptability. Knowledge of the world generally implies the formation of sattled riews. and habits, and this is in many ways antagonistic to success in a career which domands that points of view should be modified and habits of life entirely changed. Finally, to extend purely academic training beyond the period which is indispensable for the reasonable satisfaction of the requirements of a complete liberal education is apt to induce some lack of receptivity of ideas outside the academic horizon, some measure, perhaps, of intellectual self-sufficiency and a temperament unduly sensitive under the restraints of service discipline. Indications are not lacking that, in the advantages of maturity, its incidental dangers have been too much ignored. The time has arrived to check further developments in this direction and, by retracing our steps a little, to apply a positive remedy to tendencies which are, undesirable and may become detrimental, a Moderate changes in this direction will not seriously militate against the ideal of obtaining to a satisfactory extent in all candidates, and to a high degree in the best of them, the altributes of a scholar and a gentleman. The successive advances in the age-limits that have been made in recent years, have not, as a matter of fact, been attended by any corresponding enhancement in the standard of academic attainments. there is some ground for believing that there has been an appreciable diversion from an Indian career of men whose university record could pro-perly be termed distinguished. There is, therefore, less to be apprehended and more to be hoped from a reversion to an age which will admit of a candidate taking a first class degree in one or more Honours schools and yet being able to proceed to India while he still retains enough of the elasticity and plasticity of youth to adapt himself to entirely new conditions and still retains the fresh and pliable intellect requisite for the ready absorption of new ideas and the acquisition of an accurate and familiar knowledge of the vernaculars. The age which best fulfils these conditions may be placed at twenty-two, and it is, therefore, proposed that the limits of age for appearance at the compatitive examination should be fixed between the pears twenty and twenty-two. In view of the advantages above referred to of an early arrival in India, it is proposed that successful candidates should leave Buginan as soon as possible after the declaration of the results of the examination and, consequently, that the period of probation in Bugiand should be dispensed with. This question will be further discussed under another chapter of this momorandum. This proposal has a further incidental Allusion, supported by some very advantage. significant figures, has been made to the detrimental effect on recruitment for the Indian Civil Service of the combination of the competitive test for the Indian and Home Civil Services. the age for the former is fixed two years earlier than that for the latter, there is good reason to believe that many candidates who now select the

Home Service would, in order to secure their prospects of a career by taking the earlier chance, compets for the Iudian Civil Service and make it their first and final choice.

It is to be noted that these observations proceed on the assumption made in the first sentence. The separate memorandum appended deals with an alternative scheme in which the

assumption is abandoned.

15. As regards the relative merits of the men who entered the men who entered the great person of the variously prescribed age-limits, no compassion can, on the date available, usefully or properly be instituted by Government. The question is largely one of personal impressions which cut, be more suitably citied, if it all, from individual opinion. The same considerations apply also to the case of recent recruits. It

(37) appears sufficient to record the opinion that in each case the requirements of the service have been satisfactorily fulfilled.

16. The evidence as to the relative suitability of the various age-limits for 'Natives of India' is somewhat inconclusive. The following figures show the average annual admissions of Indians

in each period and the percentage on total

Average of Indians Age-limits. Indian on total almistions 1855-1857 ΣÜ. 16 3il, 1860-1865 1866-1878 29 18,99 69 196 -64 1.84 1879-1891 21 23 on 1st April 4.0 1692-1895 21-23 on 1st January ... 1898-1905 22-24 Since 1906 Z-n

It will be observed that the raising of the age
in 1892 synchronized
ovith a marked increase
Indian successes. Any inference as to the

in Indian successes. Any inference as to the relative advantage to Indians of the raising of the age per se must be qualified by the consideration that, with the higher age, the number of candidates was apparently greatly increased. The balance of evidence points to the higher age as being more favourable to Indian competitors. This being so, there do not appear to be any conclusive reasons for differentiating in their case or for supposing that any such differentiation would be either welcome or advantageous to them. It is also open to very strong objection on the ground that it is inconsistent with the maintenance of absolute equality and uniformity in the competitive test. The grounds for differentiation in the case of other classes of natural-born subjects of His Majesty are equally invalid.

CHAPTER III.

Methods of Reconstruent.

(c) Subjects of Examination.

17. The view which has prevailed for the

(29) greater part of the country parties of the country parties opened and on which the present system is bessel is expressed in the extract from the Report of Lord Manushy's Committee quoted under the pre-ceiling heading to the effect that the examination acould be designed to seeme "the best, the most liberal, the most finished circulation." The parties and arrange and emangement of suitgicts accordingly

contemplate the bind and standard of attainments of a graduate in one or more of the Honorus schools most commonly statisfed in the Honorus schools most commonly statisfed in the Honorus schools most commonly statisfed in the Honorus schools most contemplate to five a great in recognition to the carrieton of Oxford and Constribute, From this point of rise wit does not appear that the list of statisfest is open to any serious criticism. The overwhelming preporterance of graduates among the successful competitions since 2005 indicates that a university degree, supplemented in some cases by a few mouth's special tuition at a crammer, has been the corrant course of preparation.

preparation.

18. With regard to the specific question as to low far specialised Ludiau subjects can be advantageously included, the principles adopted by the Macaniay Committee may be referred to again —

"Nor do we think that we should render any service to India by inducing her future rulers to neglect in their earlier years European literature and science for studies specially Indian, We believe that men who have been engaged up to one or two and twenty in studies which have no immediate connection with the business of any profession and of which the effect is merely to open, to invigorate and to enrich the mind will generally be found in the business of any profession superior to men who at 18 or 19 devoted themselves to the special studies of their calling. The most illustrious English jurists have been men who have never opened a law book till after the close of a distin-guished academic career; nor is there any generated academic cheef of the state any reason to believe that they would have been greater lawyers if they had passed in drawing pleas and conveyances the time which they gave to Thucydides, to Cicero and to Newton. The duties of a Civil Servant are of so high a nature, that is his case it is peculiarly desirable that an excellent general education, such as may oularge and strongthen his understanding, should precede the special education which must qualify bias to despatch the

business of his cincletors."

19. The arguments a directed spaully agrined, the system of selecting conditions at a con early ago to undergo a special training and the analogous policy of underventing to direct the course of saidy as universities in the case of inciding competitions into creatin more or less specialized channels. Subjects which are primarily Indian, such as the deasted of vermenting languages of Indian at the deasted of vermenting and its subjects which may be termed in the present contention secondarily Indian, insumed as they are advocated in separes contemplation of an Indian administrative correst, such as they are advocated in separes contemplation of an Indian administrative correst, such as Interpretation and English or Roman Law, would in most cases be ignored unless they were made and administrative correst, another of contemplation of a Indian administrative correst, such as a contemplation of an Indian administrative correst, such as a subject of the contemplation of an Indian administrative correst, such as a large property of the contemplation of an Indian administrative correst, such as a subject of the contemplation of an Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, such as a subject of the Indian administrative correst, suc

in note case he ignored unless they were made to advantageous, by assigning a number of marks disreptoperfocate to their position in the moral university curricula, as to give a decided advantage to competitors selecting them. If such subjects are unde quest-complister, we have a specific degree of specialization, attended by the disadvantages referred to by Lord Macachay's Committee and atto the discourage mast of the university graduate who has paramed the course of standard strategy of the constituting a Heart observable. On the premises stated, which are accepted by the great unastavenule. They are, moreover, fortified by the growing prediction of purpose decrease of optimizing the control transportations appear unastavenule. They are, moreover, fortified by the growing prediction of large business concerns—

especially, perhaps, in India-of engaging their employes from among those who have enjoyed a. liberal, as opposed to a specialized, education. On the same grounds, with respect to the objects propounded, the present schedule of subjects. propounded, the present sched could hardly be improved upon.

20. The proposals which have been made for differentiating the subjects in the interests of Indian competitors may be generally classified under two main heads. The first contemplates the establishment of separate examinations for Indian students, retaining as a basis the elements of Western culture, but adapting it to the conditions of educational institutions in India, and including certain specific Indian subjects, among which Arabic and Sanskrit are usually, and Persian and modern Indian vernaculars occasionally, included. Reference has also been made to the desirability of having examiners appointed in India on the ground that they will be more sympathetic towards and appreciative of Indian attainments. As regards purely Western studies, these proposals on examination resolve themselves into the differentiation of subjects by making them easier and into selecting sympathetic and appreciative examiners with a lower and less uniform standard. Both propositions are obviously untenable if any idea of equality between the two tests proposed is to be maintaiced.

The second class of proposals contemplates the extended introduction of Oriental subjects into the existing schedule and increasing the number of marks allotted to those that are already included, viz., Sanskrit and Arabic; and, in some cases, either the omission of modern European languages or the inclusion of the more important Indian vernaculars.

As a typical instance may be selected the following suggestions laid before the Commission at Madras:

(1) that the nature of the examination in Sanskrit and Arabic should be of the same standard as that in Greek and Latin and that the same number of marks, viz., 1,100, should be allotted to these languages; (2) that the History of India, ancient and modern, he added to the list of subjects and that 500 marks be assigned to it; (3) that the examination in Greek and Roman History and Roman Law should not insist on a knowledge of Greek and Latin : (4) that Indian Philosophy with 600 marks be added.
21. The radical and essential objection to all

such proposals is that they involve to a substantial extent the orientalization of a test which is primarily designed to select men for a minimum number of posts who are imbaed to an exceptional degree with the best European and English ideas and principles and who will be required to carry on, in accordance with those ideas and principles, their share of an adminis-tration of which they form the fundamental basis. This is a fatal objection, and it may be added that, admirable as the Eastern classical languages are, both as a philological study and as a means of access to literatures and philosophies of singular . beauty and interest, yet they do not and cannot form, as Greek and Latin do, the foundation of a cosmopolitan modern culture such as is necessary to an administrator who has to deal under modern conditions with problems of which the solution is only accessible through means and instruments for the most part of a Western origin.

Examined in detail, it will be found that all

such proposals ignore serious practical difficulties an epiteme of one of the most remarkable

or are based on quite misleading analogies, To raise the standard of Arabic and Sauskrit studies to that of the classical languages of the West at the height at which the laster now stands in the ancient universities of Europe, where they have for centuries occupied numinterruptedly the attention of the most learned men of their time, is a project the dimensions of which have evidently not been fully appreciated, Proficiency in classical studies still retains its place in Great Britain as the most generally accepted basis of a liberal education. It still attracts no inconsiderable proportion of the most distinguished university men, and the opportunities and methods of instruction in these subjects are incomparably more accessible and more efficient than even the devoted labours of Indian educationalists have, with the means at their disposal, been able to create. If this applies to subjects in which strenuous attempts have been made in India to follow and realize the best European models, it applies with greatly increased effect to subjects of which a profound and scholarly knowledge in the accepted Western sense of the term, has, oven in Europe, been the exclusive possession of a very small number of specialists. It is hardly too much to say that the standard of knowledge required of a candidate for First Class Honours in classical subjects at Oxford or Cambridge, if applied literally and without any allowances to Sanskrit and Arabic, would entitle its possessor to rank as an Orientalist of no mean distinction, It is obvious that the means of teaching up to such a standard in India are, if not entirely inaccessible, at least not available on an adequate scale. Any attempt to translate this policy into practice could only result in debasing the standard or in encouraging the Indian student to compete at a disadvantage for exceeding any that now confront him

22. As regards the Indian vernaculars, it is no disparagement of their many excellent qualities and of the efforts of Indian scholars and men of letters, who have utilized them for their own literary purposes, to say that they cannot as yet be regarded as comparable for educational value with the languages of three of the most cultured and advanced nations in the world. Admitting the unsuitability for the present purpose of the Indian vernaculars, the alternative of excluding en revanche, the three modern European languages would, under the present system by which the total possible number of marks assigned to the subjects selected by any competitor is limited, contract the field of recruitment and penalise an exceedingly valuable province of culture, without the remotest advantage to Indian students. It is only necessary to add that any proposed modification, in a direction which; however incidentally, will lower the standard of test, will be the greatest possible disservice to Indian com-petitors, inasmuch as, in the long run, the extent of their possible employment must rest, not on their capacity to pass the examination test, but to qualify themselves as efficient administrators.

CHAPTER IV. METHODS OF RECRUITMENT.

(d) Statutory Regulations. 23. The Parliamentary legislation which forms the statutory basis of the civil ad-(23) (24) ministration of India is

developments in the history of institutions-the transformation of the mercantile agents of a trading company into an organized Imperial Government. In the course of this legislation two distinct ideas emerge. The first in time, as it still remains in importance, is the emancination of this administrative system from the limitations and defects of its commercial origin, more particularly from the injurious associations of political influence and patronage. The second is the recognition of the necessity of adjusting this system, as occasion may arise. the changing conditions and requirements of the country. The East India Company Act of 1793 first recognized the Civil Service as a governing body, the proper discharge of whose functions required that it should receive from the highest constitutional authority an unimpeachable title of status and scenrity. The later Act of 1833 first ennuciated the policy, which has since been steadily pursued and extended, of associating in this system the Indian subjects of the Crown. This policy received more express recognition in the Acts of 1858 and 1858 which admitted Indian subjects to the public competition then instituted for appointments to the Civil Service of India.

24. From the inauguration of this system the intention has been consistently maintained and clearly affirmed that certain of the higher posts in the administration should be invariably held by officers trained in Western methods and imbued with Western ideas. This is a necessary condition of the performance of the first duty of the British power in India, which is to preserve and secure itself on the only bosis which justifies or is compatible with its continuanco-the basis of British standards of justice, public morality, administrative efficiency and loyalty to the Crown. No misapprehensions as to the fundamental nature and necessity of this policy or as to our resolution to maintain it in its inte-

grity should be allowed to exist.

The concrete expression of this policy is formulated in the schedule to the India Civil Service Act of 1861, which represents, even today, with approximate accuracy, the degree and kind of reservation which should be observed in the tenure of the higher executive and judicial offices. The alterations since made by statute and regulation are a recognition of the second of the two broad lines of policy which have been alluded to above—the desirability of admitting Indians to a share in these higher offices. The Statutory Rules of 1873 indicated the proportion of the scheduled posts which then commended itself as appropriate, and this was placed at one-sixth. This Government is strongly of opinion that this represents the limit to which, under present conditions and with due regard to the stability and efficiency of government, this policy is capable of exten-sion, and it necessarily follows that the remaining five-sixths should continue to be reserved for European officers and, on the assumption of the maintenance in its essentials of the existing order, for Indians who have fulfilled the intentions of the framers of the Statute of 1861 and have shown their fitness for high office by passing, on the basis of a common training in British methods and ideas, a common test of

intellectual capacity.

26. These general considerations being premised it may be observed that the historical origin of the statutory reservation of posts to the Indian Civil Service was the necessity, already alluded to, of checking the abuses incidental to

an inadequately controlled system of patronage for the appointment of officers to the public service. The East India Company Act of 1793 was succeeded by the Statute of 1851 which, as modified by the Government of India Act of 1870, now constitutes the law on the subject, The primary objects of this legislation were (1) to prevent the abuse of patronage, and (2) to secure the position of the Indian Civil .Service by giving to it a Parliamentary guarantee, Into this question considerations regarding the proper proportion of Europeans in the administration enter only colleterally, though they must in many respects be regarded as of even greater and more essential importance. The necessity and propriety of this Perliamentary guarantee, both as strengthening the hands of Government in resisting inadmissible claims and as giving security of tenure to the members of a service to which it is necessary to attract the best mon available, do not appear open to criticism and, as has already been stated, this Government is not prepared to recommend any material change in the principle or the constitution of the schedule. This position is further discussed in the separate memorandum to which allusion has already been made, 27. The necessity for the maintenance of a

minimum proportion of Europeans in the higher offices has been treated as incidental to, but onless has been tweeted as incidental to, but inseparable from, the objects and expedients of the statutory reservation of certain offices. It has already been pointed out that, in the accepted estimate of this proportion, no discrimination is made between Indian members of the Indian Civil Service and their European colleagues and that any medification of this proportion would necessitate a reconsideration of that osition. Even apart from any such modification it is impossible to ignore the fact that the ressive admission of Indians to the Indian Civil Service does involve a material disturbance of the proportionate basis, and the necessity of some limitation in this direction, the possibility of which has not escaped attention in the past, may become insistent. Equilibrium would perhaps, in such a contingency, be most simply and equitably attained by accepting as a basis the average number of successful Indian competitors during the last ten or twenty years. This point will be adverted to in another place. Meanwhile it will suffice to reaffirm the emphatic adhesion of this Government to the principle of main-taining a minimum Buropean element in the administration and to the accepted proportion. Finality cannot be claimed for this or any other rule of policy, which must be continually reassessed in the light of results and events. But, if an appeal is to be made to recent experience, no justification will be found in the events of the last eight years in India for the relaxation of this cardinal measure of public security.

28. Subject to these general principles the present system with its

viding by statute and regulation for the recruitment of "Natives of India" may be accepted as a prodent and well-considered scheme, capable of adaptation within proper limits to altered requirements, and one which has on the whole produced satisfactory results. It cannot be denied that it has defects both in conception and in operation, and it is to remedy one of these defects that an alternative involving considerable departures from the present practice has been separately propounded. 29. The statutery system which has now cased to be a part of this sebeme of recruitment was, by common consent alike of the Government, of the public and of the officer concerned themselves, a failure. The reasons have been clearly stated by the Public Service Commission of 1887 and used not be recapitation.

lated here. No proposal to resuscitate this system is likely to meet with, nor would it merit, any

favour or support.

30. A list of the Natires of India who have catered the Indian Givil Service on the Bombay establishment by competition is appended, with details as to the length of their service and the potast they now concept. It will be observed that these comprise both executive and judicial posts, from those of Assistant Collector and Assistant Judge to those of Senior Collector and First

Grado Judge.

List shewing the Natives of India at present serving in the Indian Civil Service on the

Mr. M. D. 9 9 1857 First Grade 2,000 8 (Onfeet Train).	rlos,
Totaline	tis ad a state of the state of
N. J. Wadia 25 10 1009 Do 509 0 0 D	ant.
, J.A. Midau 28 10 1600 Do 250 0 0 0 D H. K. Rip- 10 1912 Do 400 0 0	lş.

# CHAPTER V. METHODS OF RECOURTSENT. (e) Mixed Commissions.

Sl. The only portion of the territories under the Fresidency of Bourbay which has been bay which has been of a mixed Commission of military, covenanted and uncovenanted officers is the Province of Sind. The Sind Commission was developed out of the quasi-military system of Government instituted by Sir Charles Napier after the commission was

and uncorensused officers is the Province of Sind. The Sied Commission was developed out of the quasi-ntilitary system of Government impittated by Sir Charles Nepier after the conquest and ameration of the province in 1843. The officers appointed were partly military and partly uncovenanced civilitans, though covenant, ed civilitans also were occasionally posted to Sind. With one or two exceptions during the later years of the Commission, the poets of Collector and Magietzate and of District Jodge were invariably beld either by military officers or by covenanted civilinas. The last officer of the Commission was Mr. H. O. Miles, C.S.I., M.Y.O., whose services were, on 1st November 1990, transferred parametely to the Agradient 1990, transferred parametely to the Agradient

Port Trust, the post of Collector held by him at the time being absorbed in the posts reserved for members of the Indian Civil Service.

23. In 1855 it was dotormined that, in order to improve the standard of the Sind administration, overaneted civilians should gradually be substituted for blue military and uncorrelated officers of the Sind Commission and that recruitment for the Commission should cease. This policy was approved by the Gorerment of India and has since been completely carried out.

dia and has since been completely carried out.

33. In the case of territories recently annual completely carried out.

13. In the case of territories recently annual complete, owing to their peculiar physical.

or political circum-stances, to retarding and isolating influences, in which the chief necessity is that the administration shall be simple, vigorous and of a character to commend itself to a turbulent and unsettled population, experience gained in many parts of India proves that Commissions recruited from among military officers and civilians having special personal aptitude for dealing with situations of such a nature have been remarkably successful. It has also generally been found that as the country becomes more settled and the administration more regular and more complex. a larger infusion of officers more highly trained in law and administrative technicalities becomes necessary. In the process some excellent qualities-among others simplicity of method and an intimate mutual understanding between the a rulers and the ruled-may suffer loss; but the process is inevitable, and experience has not yet suggested any means by which its drawbacks. can be entirely obviated. When once this point. in administrative development has been reached reversion to a simpler and more primitive typeis no longer possible, and this point has now been reached in the whole of the Presidency of Bombay including the Province of Sind, w

exception of a few wantot tracts for the most, part on the frontier. For these tracts asparate arrangements are provided, partly by legislation of local applicability partly by careful consideration of the personal qualifications of the officers appointed to authorize the provided partly by careful consideration of the personal qualifications of the actual control of the personal qualification of the actual control of the personal partle of the control of the personal partle of the personal control of the personal partle of the linest described is improtectable because the conditions in which such a system can alone operate ancessfully have passed away and cannot be reviewed.

34. It is possible that these questions are suggested because of a belief that, in the case of mixed Commissions, the administration has preserved a simpler character and has displayed closer and more intamate relations between governors and governed. If that he the case, the answer given above to these questions shows that cause has been confounded with effect. It is not the mixed Commission which results in the conditions described, nor the substitution of trained members of the Indian Civil Service which has occasioned any charge. It is the charged conditions, evolved through peaceful administration and the spread of education, which necessitate a departure from the simplicity of the non-regulation stage, and it is the increase in the complexity of the administration, resulting from the growth of more civilized custom, which necessitates greater formality in procedure leading to less paternal relations. The same number of officials have a greater volume of official work to get through,

CHAPTER VI.
METHODS OF RECRUITMENT.
(f) Littled posts.

35. The following are the listed posts which have been thrown open to the members of the

Bombey Provincial Civil Service:-

(a) 2 posts of Collector. (b) 2 p. District Judge.

(c) 9 , , Assistant Collector. (d) 3 , , Assistant Judge.

(c) 1 post "Register, High Court. (f) 1 " "Talukdári Settlement Officer,

Total 18

All these posts, except (s) and (f), have been (84) Gilled by "Natires of India" and held by "Natires of Statutory Civil Service (25) or of the Bombay Provincial Civil Service

Outside these services, with one exception, to "Walvirs of Lini" hes been selected for eary of these posts, since the necessity for making such a satistation and after only in the servant of no satistatio person from either of those services, being available. The sixtee opts are not, with one acception, such as sail for present of quadratice, and consequently the second quadratic and consequently the second stated to is most unlikely to arise. Also monitoration on notation to any of those bow monthly in frequently reserved to, he regarded exercicely producing the position and states of the Provincial Ciril Services. The single compensation above referred to is that of Mr. M. S.

Advani, a Barrister-ut-(20) Law, who was appointed an Assistant Judgo in

an Assistant Judge in 1904 and has since been promoted to a District Judgeship.

36. Of the listed posts mentioned above, (b) (a) and (b) have during he list for years here led by numbers of the Provincial Ciril Service as shown below. The two posts of Collector have been hold by Shatshery Cirilinas (can of them sions 1000 and the other since 1004) and will be thermu open to the Provincial Ciril Service on the reference of the present immunity. The provincial Ciril Linux Ciril C

was up to April 1907
(34) held by an Indian—a
member of the Pro-

vinsial Givil Service—but since then it has been bodd by members of the Lindian Givil Service. The post has now been released from the category of listed posts, an additional Jedgreeling having been substituted for it. The post of Thinkfeld's Settlements Officer was lade by member of the Provincial Documber 1500 to September 1500 to S

may be appointed to it. The discretion thus allowed was exercised by this Government when the last holder of the appointment (Mr. Blimblin Kirparam), who was a native of India, died and the post fell vacant. The holder of the appointment has to deal with estates covering nearly one-fifth of Gojarab; and some of these estates are the property of chiefs who, elsewhere, exercise quasi-sorcreign powers. Great tack and discretion are necessary in dealing with these. For many years past the Government of Bombay have regarded as a motter of great importance the preservation of the talakdars in their ancient estates and have at various times undertaken legislation to this end. This legislation, being persentive only, was not entirely successful, and it was decided to adopt a more constructive policy of reform. To carry out this policy Government had to look to the Indian Civil Service for an officer who possessed the necessary energy and initiative and who could command the respect and confidence of the talekdars, In order to compensate the Hombay Provincial Civil Service for the temporary loss of this appointment, the Bombay Government are about to address the Government of India with a proposal that an acting collectorship or an extra arst grade deputy collectorship may be made available for members of that service so long as an Indian Civil Service officer is appointed to the post of Tálukdári Settlement Officer,

87. As stated above, a bird post has been added to be two District Julgedhap's which were originally decisived open for the members of the Provinceal Gird's Service. This newly added appointment has not yet been filled up from that service for want or avenage stoney the Indian Ciril Service officer bolding the posts of District Julge. Of the committing two appointments, one has been field continuously during the last fire pears by a member of the Provincial Ciril Service, while the other has been held by a seemler of that service sales I that Jone 1911, or which date one of the District Julgeships told recursion with the control of the Circumstantial Ciril Service, while the other has been held by a countier of that service sales I that Jone 1911, or which date one of the District Julgeships told the count owing to the retirement of a Satisticty.

civilish who held it.

38. The nine posts of Assistant Collectors
were merged into the
(37) cadre of Deputy Col-

third grade on Re. 500, four in the Court flars—three in the third grade on Re. 500 and two in the stridt grade on Re. 500 and two in the stridt grade on Re. 500 these usine interior listed pends on Re. 500 of these sains interior listed pends, five (i. e., three in the fearth grade and two in the stridt grade) have been held oninterruptedly by members of the Provincial Civil Evrice during the late five years. As regards the rounning four, the assorbers of that service have been appointed to them as the pends of Australia Collector converted into listed posts fell vacuation to the state of the convention of the state of criticals who had them, i. e., two of the share shall grade posts of Deput Collector became entailable for the members of the Provincial Civil Service on the late and lot January 1500, respectively, and the third on 21st February 1912, while the one remaining appointment in the forth grade was

filled op from that service on 18th March 1816.

30. The officet of adding these nine posts to the code of Deputy Collectors has been to allot than as a peraments and exclusive possession of the Provincial Civil Service instead of morely aclearing the eligibility of the Provincial Service most to be appointed to them. The duties of the posts being identical with those atready exercised by Deputy Collectors before these exercised by Deputy Collectors before these

posts were listed, the propriety and convenience of the procedure seem apparent. There is no evidence that the interested public are otherwise than satisfied with it; but an impression seems to be entertained by some members of the Provincial Civil Service that the retention of the old nomenciature might have been advantageous as distinguishing these listed appointments from the pre-existing Deputy Collectors' posts and conferring upon them some degree of superiority. The impression, if it exists, is based upon a misapprehension, as it was never the intention that the incumbents of these pests should be discriminated from the other members of the service or should have any preferential claim to ultimate promotion to the superior listed posts. The three appointments of Assistant Judge have been held for the last five years by members of the Provincial Civil Service.

Except in the case of the Talukdári Settlement Officer's post, for which the appointment of a European officen of the Indian Civil Service has been deemed expedient in the present state of transition, and for the reason already given, no changes seem necessary in the class of listed posts, but with the increase which may be anticipated in the number of Indian members of the Indian Civil Service eligible for promotion to district charges, it may be necessary to consider whether the number of such listed charges can be maintained; and, if the conclusion is in the negative, what compensation can be given to the Provincial Civil Service in other directions. At present the Bombay Government are contemplating the addition of one-possibly two-of the posts of Superintendent of Land Records and Registration to the appointments which are thrown open to the Provincial Civil Service.

41. The provisions of section 3 of the Inchi.

(Ivi) Service Act of 1830,

(40) have not been brought into operation stary time during the last five years for the appointment of "Natives of India" permanently to poste specified in the soluental to that Ata, nor has any "Nativo of India" been appointed to Civil Sorvice posts except by written of the powers conferred by section 6 of the Government of India Act of 1870.

CHAPTER VII.
STREEMS OF PROMATION AND TRAINING.

42. It has already been observed in discussing the age-limits for the competitive examination that, while there are certain cardinal principles on which the existing aystom is based principles which named be ignored without disastrons results—there are incidental features which admit of great diversity of opinion. This remark applies with particular force to the productionary course prescribed for successful candidates, regarding which there has been no substantial naminity of opinion since the competitive system first pieled some practical data for discussion and which, as it now stands, is generally admitted to be in many respects

43. This final process in the preparation of caudidates for the commencement of their active accree must necessarily be considered in relation to the conclusions which have been arrived at on the preceding stages. The question of the ago of admission to the competitive test and

corollary, the upo is which the probutioner should arrive in India, here shready been discussed. Of the two divergent lines of opinion which simplication respectively the advantages of materity and of adaptability of character, reasons have been advanced for giving preference to the latter. It is evident, however, that the conditions of the system of probation adopted near to a large extent be determined by the decision carrived at on the question of the age-dimits, and the probationary system itself ments therefore be discussed with reference to both the above-mentioned alternatives.

44. The question will first be considered on the assumptions that the existing age of arrival in India is maintained, that a period of probation is to succeed an open competitive examination designed to attract candidates who have already completed a general university education and

that the object of the probation is to afford a special training with reference to the requirements of an Indian official correr. In the successing paragraphs the cristing system will be criticized in its application to these conditions and proposals will be made for the remedy of the defects which are generally

admitted to exist, The chief objection to the arrangement by which the probationer is put through a rapid and necessarily superficial survey of Iudian Law, languages and various other subjects is, as has been pointed out by Sir Heury Maine, that no serious studies can be prosecuted, nor proficiency in them adequately tested, in a twelve months' course. Inadequate as this period is, it is ren-dered still more so by the fact that men enter upon it at a time when the mind is undergoing a severe reaction after a strain of excessive severity and duration. There are few who do not at this juncture feel the impentive need of rest and relaxation; and the summons to renewed exertions necessarily receives at first a somewhat languid response. It is, therefore, not surprising that the attempt in such circumstances to compress into the space of a year an ontirely new series of studies has not yielded generally satisfactory results. Apart from this inherent difficulty, the were memorising of Indian Codes, and this applies more particularly to the Pro-cedure Codes, is a lamentable initiation into law for the future Magistrate and Judge, and it is consistently supplemented by a desultory, and generally ill-directed dabbling in an Indian vernacular, Indian history and some miscel-laneous optional subjects. In short, the general verdict of the probationers them elves would probably be that the carriculum is jejune and renellent. the instruction uninspiring and ineffective.

48. Orisicism of the present system can best be based upon the definencies which experience has shown to be most generally left and orinced by the civilian in his early years of service. There is a store on opinion that these deficiencies are most apparent in the want of knowledge of har and of familiarity with legal procedure and methods. This is by far the most important consideration, and it is by this that the conditions of the term of probatice must largely be determined. Profisency in the course of their collision duties middle perhaps by natural linguistic indicate and in the course of their collision and indestry. Their wilmate attainments in this direction will not be marginally

affected by their probationary studies, though they may be facilitated by the acquisition at this stage of the elements of grammer and some literary acquaintance with the language. value can be attached to the degree of colloquial knowledge likely to be attained in England, and it appears advisable to postpone serious efforts in this direction until the conditions, instead of being distinctly adverse, are specially favourable, that is to say, until arrival in India. A knowledge of account procedure would be useful, and few officers have not at some stage of their career felt the lack of some systematic acquaintance with the methods of keeping and auditing both public and private accounts. These are the both public and private accounts. directions in which deficiencies are most likely to occur; but it is obvious that the first is incomparably the most important.

47. The question, then, is what preliminary training in law should be provided, under what conditions and by what means.

48. It seems clear that, if a solution of the problem is to bestivally strempted, it will eat be found in the present exigenous instruction in certain positive mountainest, supplemented at the option of the probationer by an exemision into the field of Hindu and Mahammadan Law, or in say development on these lines. While it is impossible to aim at producing a body of trained and expert juristics, a sound initiation into legal principles and methods can certainly be imparted within a restorable time. The basis should consist of: (1) the elements of general jurispradence, (2) some direct acquisitance with the best available models of judicial procedure, and (3) a fairly datatile knowledge of the more important bodies of positive law which are in force in British India.

With regard to the first of these, it may
be observed that the science
of jurisprudence, apart from
its direct bearing on prac-

tical work, is an almost essential element in a really wide culture, and is an admirable supplement to, and corrective of, a purely literary education as a training for affairs. As regards the second, there is almost complete unanimity as to the value of the earlier system which required candidates to attend course of law of every grade, from those of stipendiary Magistrates to the highest tribunals of the Empire, to observe the methods and procedure of the most distinguished Judges and the ablest counsel in England and to record the results of their observation in a careful and systematic manner. As regards the third, it suffices to state that Procedure Codes need not necessarily be included and that they might profitably be omitted, as their provisions can be most easily learned by sceing them in actual operation, that is to say, in Indian courts.

50. Such a course of instruction cannot be compressed into the limits

(44) of one year, and two years are not too long for the

purpose. If, however, the period of production is extended to two penus, it would be adversable to restouce the age for appearance at the competitive examination, as it will probable admitted, even by the most contracted advocates of the highest against, that say further extension of the age of crivial in India is not desirable. There are no serious objections to his course, and the advantages in the direction of security a really sound and effective probations are indispatable. The question as to whether are indispatable. The question as to whether

this period of probation should be passed in India or in England must again be referred to the decision arrived at on the question of age. Accepting for the purposes of the present d cussion the existing system and the principles on which it is based, there is much to be said in favour of this probationary instruction being imparted in England. Under the present exceedingly strenuous and prolonged conditions of competition, there are objectious to requiring selected candidates to proceed to India without a reasonable period for recuperation. Secondly the provision of the best instruction in legal subjects and the accessibility of the English law courts upon whose procedure that of Indian courts is modelled, are considerations strongly in favour of England. If this conclusion is accepted, the suggested alternative

(54, 55) of training colleges in India must be discarded. It

must, however, be clearly understood that these arguments proceed on the hypothesis that the present age of arrival in India should be maintained. This hypothesis is not accepted by the Government of Boutbay, and the proposals which thay have to make in the alternative will be explained at a later stage.

51. As regards the course of instruction in legal subjects, that which was prescribed up to the was prescribed up to the whole excellently designed and needs only to be revised in the direction of substituting some more moders works on general jurispradence

and an improved selection of Indian nets.

52. Though this logal carriculum would constitute by far the most important element in the probationary occurse, instruction in a vermonlar language, which might very properly be supplemented by the study of a classical language and of Indian history and geography, should be included. The utility of political economy as a special Indian study is most doubtful. economic conditions of India are special and peculiar, and fow of the generalizations which are accepted as the basis of Western economics hold good in India without wide reserva-tions. Indeed, it has recently been observed by an eminent authority that a science of political economy applicable to India has still to be written. The accepted doctrines of Western economics. except perhaps in the particular domain of monetary and currency questions, are perhaps, as Sir Henry Maine has observed, more likely to canduce to confusion than to clearness of thought in the Indian official. A school of Indian economics has still to be created, and happily there are now hopes of establishing such an institution in Bombay. If it is found possible to devise a practical course of instruction in accounts, this might very usefully be substituted for political economy. With regard to Indian

(8) noe direction in which he production; regulation require to be supplemented. It should, set a present, to provided that the removalus studied by such probationers should be other than their mother-forgus. As Indians must be frequently appointed to serve custain the provinces of their hirth and as in several provinces two or more removales are commonly spoken, there is no practical difficulty in suggesting suitable aftermatives. In other respects, differentiation in the case of Indians is not only unnecessary but objectionable is practically.

probationers, there is only

53. It is important that the carriculum should not be over-weighted. Competent observers detect in newly joined civilians symptoms of some lack of mental and physical resilience due to the efforts exacted by the continuation to the last moment of competitive conditions. the same reason there is much to be said in favour of relaxing these conditions during the period of probation, and of substituting recurring qualifying tests, subject to adequate safeguards for the maintenance of a proper standard of intellectual efficiency, industry and character.

440

54. Residence during this period of probation should be made compulsory at a residential university, (45, 46) and there are distinct

advantages in specifying more particularly the Universities of Oxford and Cambridge. It is important, in the first place, to secure the invaluable results of social intercourse and participation in the corporate life of the best type of collegiate institution, more particularly for candidates who have come up either from non-residential universities or from tutorial establishments. The necessity is less in the case of graduates of residential universities, but in order to ensure the greatest measure of friendly intercourse and communication between men who are to be members of the same service and to generate among them the best kind of corporate spirit, it is essential that they should be concentrated as far as possible in place of being isolated from their contemporaries on the threshold of their careers. It is the isolation necessarily entailed by a

separate institution which constitutes the most serious objection to such a proposal. Residence at Oxford or Cambridge offers nearly all the advantages of bringing together as fellow-students young men who are destined later on to become colleagues in administration and it admits them at the same time to the wider corporate life of a great university.

55. Probationers ought to be granted an allowance sufficient to cover the reasonable expenses of residence at a university

and the rate should be fixed at £200 per annum. A lower rate would result in the majority of men contracting debt before their arrival in India. The answer to those who object in principle to the grant of an allowance is that no sound system of open competition will provide men ready-trained for their duties in India. This proposition need not be argued in detail. It is necessary that unless special instruction be given in England (in which case, as it is, ex hypothesi, given entirely in the interest of Government it would be unreasonable to require the probationers to pay for it), the Government would in the alternative have to maintain its servents at greater cost in India while qualifying for their duties. The grant of an adequate allowance in England is therefore conducive both to economy and efficiency.

56. The above discussion proceeds, as has been explained, on the assumption that the main features of the existing system remain undis-turbed, and the object has been to indicate, on that assumption, in what directions improvements are necessary and practicable. The Government of Bombay are, however, strongly of opinion that the preponderance of advantage is to be found in a reversion to a lower age-limit, and, in order to obtain all the advantages attaching to the lower age, it is necessary to provide for the arrival of selected candidates in India with the least possible delay. This policy necessitates some modification of the detailed arrangements of the probationary course which, on the alternative hypothesis regarding age limits, have been advocated above. These modifications, however, will consist almost entirely of adapting to Indian conditions the principles arrived at with regardto a probation spent in England, and the measures necessary to combine with the probationary course the training which the young civilian now separately undergoes as a preparation for his appointment to an independent charge. The term probation may, in fact, if the present proposals are accepted, be discarded, as it would obviously be unreasonable to expect successful candidates to proceed to India without a definite guarantee of employment. This course of instruction may therefore be termed the training course. It should extend over a period of two years and it should combine, as far as practicable, the instruction advocated in the preceding paragraphs with the existing scheme of training which is dealt with in the next chapter. The combination of these two systems of instruction presents important advantages. The study of subjects which must largely be learned from books will proceed pars passu with practical initiation into the details of executive and judicial administration supplemented by immediate con-tack with the people and the best opportunities of attaining to proficiency in the verusculars. To the considerations last named the Government of Bombay attach the greatest importance, and they are averse on these grounds from the possible alternatives of

(54, 55) a central college for the whole of India or an analogous arrangement for each Presidency or province. A period of two years spent wholly at such an institution would not admit of effective instruction in the work of practical administra-tion, of which even the elements are subject to the widest local variations. To divide this period would be equally objectionable. Firstly, because, for reasons already explained, twelve months would prove inadequate to secure and to test a proper degree of proficiency in the subjects appropriate to a probationary course properly so called, and, secondly, because the loss of homogeneity and continuity in the course as a whole, which such an expedient would entail, would seriously impair its value. The best solution would be to amplify the present system of training in the manner above indicated. of the items contained in the course of probation recommended in this chapter could not, in most cases, be adequately provided for. The first of these is attendance at courts of justice of every grade, and the second, the study of an Indian classical tengue. The former could be replaced to some extent by the magisterial and district courts; facilities for the latter would frequently be so difficult to obtain in mofussil stations that it would be inadvisable to make generally compulsory a study which, though of undeniable value, is rather a luxury than a necessity. As against the loss in this direction are to be set off the greatly improved facilities for the practical study of Indian systems of accounts, both private and public, and of the vernaculars, together with the direct initiation into adminis-

trative work and contact with the people which, as has already been stated, this Government.

regards as of the greatest importance.

57. This proposed co-ordination of the courses of probation and training would make it necessary that the latter also should be subjected to some modification in detail and mainly in arrangement. The combined result would, in fact, amount to a development on broader lines of the system of departmental examinations, training in practical work and technical instruction in agriculture and survey which is at present in force. It must be recognized that these proposals are not free from practical difficulties. The arrangements for the necessary periodical examinations and the proper supervision of the progress made by the officers in training would require careful consideration; but these and similar questions are matters of detail to the solution of which no insuperable obstacle can be anticipated. The scheme thus outlined, besides being preferable on its merits, has the additional advantage, as compared with the costly expodient of training colleges, of involving little or no increase in expenditure.

CHAPTER VIII,
Systems of Probation and Training.
(b) Training.

58. The views of the Government of Bondhes as to the system of training which chould be adopted in the event of the age-thick being a bedy recommend, substantially related, have been explained in the preceding chapter. The following remarks on the activities gystem of training are, with the exception of certain speak proposals in the case of judicial officiers, made on the assumption that the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until which the states que remains until the states que remains until which the states que remains until the states que rema

59. The rules for the training of Assistant

Collectors after their arrival

(60, 61) have been recently revised,
and the Government of

Bombay are satisfied that they are framed on sound principles. They are, however, at present contemplating certain minor changes with respect to the Acts to be statisfied, and also the introduction of the system of reporting criminal cases which they consider a valuable training, insament as it will afford young officers as opportunity of graining some practical experience of the working of courts before they are called on to deside cases.

60. The Government of Bombay do not consider that there is any (62,63) deterioration in the knowledge of Indian languages

belge of Indian Bogungses
possessed by monhers of the Indian Civil
Serrice. The executive officers possess a
sufficient knowledge of the Augungses, and too
on much of their daily effice work in the
remeasure, whilst the proceedings in all mofessil
of air number of officers here successfully passed
to officers in the Professioner, Essaination in
the various retrasculars. The rules for the
encouragement of Oriental Inagouges have been
ladely revised to as to make the courses to read
more practical and attractive.

11. The views of the Government of Bombay, on the training of members of the Indian Civil Serrice selected for the Judicial department, have been recently communicated to the Government of India. Briefly stated, they are that there is no need for any

Judicial department, have been recently communicated to the Government of India. Briefly stated, they are that there is no need for any radical change in the system prevailing in this Presidency. The Judicial department has, with rare exceptions, been filled by officer recruited in the early years of their service and

trained as Assistant Judges for at least 2 years before being promoted to the posts of District Judges. All superior appointments are at present reserved for such Assistants. On appointment an Assistant Judge is given the work of a Subordinate Judgo, and is not invested with appellate powers until he has had sufficient practical experience of original work. The only further step which the Government of Bombay advocate for the improvement of the pro-ficiency in law of members of the Judicial department is the introduction of a system of granting study leave te Europe, especially for the benefit of officers who have finished the preliminary practical training already described, before they become District Judges. The course of study which they favour is that for a call to the bar, which they deem more suitable to officers who need theoretical and not practical instruction than a course of reading in a barrister's chambers. They do not consider any special course of study in law in India necessary, more especially if, as has been intimated by the especially if, as has been intimated by the Government of India, the course of training in England is altered so as to include Hindu and Mahomedan Law, 62. The possible alternatives to the present

system are (1) recruitment by a separate composition of barristers and phenders, as is now the practice of the assumation in law, and (2) nomination of barristers and phenders, as is now the practice in recruitment for the Provincial Civil Service. The Government of Bamblay would atrougly oppose any clusage which would have the innociation or ultimate result of handing over the Jadicial department entirely to an exclusively Indian ageong. They agree with the Commission of 1886 that any reversation of the Jadicial burstle for a particular class of His Majestr's subjects would lead to administrative difficulties. In their opinion it is essential to avoid any change owhich would do anything to impair public conditions in the judicianty, and they consider that it is not possible for a partyl Indian judiciany, however able and impartial, to inspire that confidence in the courts which is so important a factor in the control which is so important a factor in the control which is so important a factor in the diministration. The appointment, in India, of barristers to the Judicial department would further be open to the very grave objection that the attractiveness of the service by itself is not be attractiveness of the service by itself is not

sufficiently great to secure tried men or even

mm who are likely to accord at the bar.

68. The alternative of cercitizent to I largers by a separate legal commination does not commend itself to this Government. They attach great importance to the general education and collarse obtained by present methods, for which a purely legal examination would refler to a galage in Itelia is a thorough familiarity to a judge in Itelia is a thorough familiarity with the language, customs, both religious and social, and modes of thought of the propel amongst whom his work lies. This qualification, they hold, is more likely to be obtained by the present system of retrainment than by any system which concentrates its aims too early, and to exclusively, on the study of law. The present system supplies material out of which to make lawyers and judges of more than ordinary competence, and, to turn that unterial to the best account, they would webcome a scheme by which a young man, after apouling about among the villages of his charge, and so gletting to know the people and their language, existing to be regulated for the gong agenting to know the people and their language, getting to know the pople and their language,

would return to England to study law. They hold strongly thetom Indian Civilian Judge, who has acquired his knowledge of the people at first hand, is better equirped to perform his main duty, which is to find correctly on dispatied facts, than a legal student whose only qualifoction is a knowledge of the haw. It must be remembered that an Executive officer, who is also a Magnitante, has had, before entering the Judicial department, considerable experience of criminal courts, and thus a sound training for his dwice as a Sessions Ledge which, in the opinion of this Government, eve not less important than his duties as a Court of Givil Appeal.

64. Excentive experience is also of great sesistance to a Judge whan he comes to try suifa against Government based on misuse or alleged misuse of executive authority. In such cases Judges who have no executive experience are especially prone to error, and their mistakes may cause serious inconvenience to Government.

65. Apart from these considerations, this Government would deprecate any change which might have the effect of destroying the sympathy which now exists generally between the Judiciary and the Bocentive. This sympathy is to a great schent day, they believe, to the fact that District Judiges and Collectors are usually members of the same service. The Government of Bouthay fear that the subtition of the Judicial branch of the Indian Givil Service would lead to a deterioration of the seasadard of shumilstration.

CHAPTER IX.

CONDITIONS OF SERVICE.

66. In formulating proposals to regulate the strength of the cadre of the Indian Civil Service the Government of Lord Elgin

Government of Lord Elgin in 1898 enunciated the two propositions which are recited in the interrogatories drawn up by the Royal Commission as the basis of the conditions of employment in that service. It will be apparent upon examination that the practical expedients which were then adopted and which are still in force are deficient in one important respect. The decision having been taken to deduce the strength of the service on the basis of the number of appointments which might properly be classified as superior, it was necessary to carry out this classification on some what arbitrary lines. Provision has been made that, subject to certain subsidiary conditions, officers of the service will ordinately opening approximately eight years' service, to a superior appointment, either substantively or with practical an officiating capacity. The officers of the service will ordinarily attain, after tical permanency in an officiating capacity. system is not designed to effect anything more than this, and it does nothing to socure the prospects of an officer after he has reached this stage. It does not secure to him sufficient salary and sufficiently responsible duties throughout the whole period of his service except on the assump-tion, whole is obviously untenable, that a superior appointment of whatever grade adequately fulfils this requirement. This important limitation must be clearly apprehended. It is apparent that if the objects thus broadly stated are to be fally attained, the system must be supplemented by suitable provision as to the number, grading and emoluments of the superior appointments. The creation, for instance, of a disproportionate number of superior appointmeets of the lower grades may satisfy the immediate purposes of recruitment but will have a scriously detrimental effect on the general

conditions of service. In short, the system does not secure, and is not designed to secure, one of the principal objects at which it aims.

the principal objects at which it aims.

67. Regarding the existing system from the more limited point of view of a system of recruitment, it may be said that it constitutes a great advance on the haphazard methods, with all their attendant evils, which it replaced, and it has effected important improvements in procedure relative to cadre questions. The limits, whether of the length of service to be passed in inferior posts or of the rates of salary on which the classification of posts as 'training' posts posts and 'superior' posts is based, 'inferior' cannot be regarded as permanently or system-atically settled. A reduction of the age of recruitment need not necessarily imply a proportionate extension of the period of service in training and inferior posts unless the reduction decided apon involves any great departure from present condi-The greater adaptability secured, by the reduction in age would counterbalance such disadvantages as might be anticipated on the score of youth and inexperience. In addition to this, the increased cost of living leaves so slight a margin for adjustment that great difficulty would be found in prolonging the period of service in the lower paid posts.

68. The arrangements contemplated by the system in regard to the preparation of junior civiliaus for functions of a higher

order by a noviciate in less responsible posts and for their promotion at the end of eight years to offices of adequate responsibility and conclument are sound in themselves and their success will be found to depend minity on the extent to which these objects are attained in practice. From the tabular statements A, B and O appended to this Memoradum it will be

be found that in recent years officers on the Bombay establishment have in many

cases, failed to attain to superior posts after eight years of service and have remained on the pay originally intended for training posts for a considerable time after their training has been completed. On the other hand, a certain num-ber of officers of less than eight years service have, during the same period, held or officiated in superior posts. After making allowance on this account the results still fall short of the conditions contemplated by the system. This is mainly to be attributed to the fact that, in applying to the Bombay cadre the proportions arrived at for determining the relative number of superior and inferior posts, it was deemed an necessary to resort to what may be termed an actuarial fiction and to include among the superior posts five interior posts on Rs. 900 per negiesm and five others which in normal circum-stances are also interior. This course was adopted on the ground that the standard proportion of inferior posts did not provide a supply of officers holding such posts adequate to the requirements of the Bombay administration. The special requirements of the Bombay Presidency in this direction are due partly to the practice of the local trovernment of providing for the training of a certain number of Assistant for the training on a certain and to Assauration for higher indical posts as a preparation for higher indical office, and partly to cortain peculiarities of the Bombay. Land Revenue system which requires a largen number of Assistant Collectors than is necessary under other systems. These administrative exigencies

were met in the manner explained, and the some of the cards and receptions is system was necessarily obstructed to the desirtance of the cards and the second of the transit of the prospects of the joint commelers of this service. Steps have been jaken in the arctical or dapting a remeal by the proposal to create five new superior appointments on Re. 1000 per suscess redoring that five appointments on Re. 900 to feeir proper place in the inferior class. Of the remaining five inferior appointments, ms has been abolished, one is to be replaced by a newly created District and Sessions Judgestin but the remaining three are still consider as superior.

69. This arrangement, the effect of which upon the prospects of junior officers was probably not clearly realized at the time, was adopted in order to meet administrative requirements and the objects immediately contemplated were secured. It is, however, impossible for this Government to regard without concern any serious disabilities in the position of their officers in respect either of the prospects to which they may legitimately consider themselves entitled or of any differential advantages enjoyed by members of the Indian Civil Service under other Governments and administrations. It is intend-ed that such questions should come under consideration at the quinquennial examination of the cadre which has recently been prescribed. This expedient has not been sufficiently look in operation to enable any opinion to be formed as to its efficacy but, subject to the provise that emergent or extraordizery cases should be considered as the necessity arises, it appears to promise satisfactory results.

70. The adequacy of the number of superior posts in the cadre has to be (76) considered in relation to

the superior and inferior appointment prescribed by the present system of re-criticant and (6) the volume and inportance of the work of Government. The first of these questions has already been discussed. Wilth regard to the second, it may be observed that the number of superior pasts in which Reupona qualifications are held to be necessary are, in all deputiences of Government, represently reduced to the lowest minimum whichen he regarded as safe to respect to the control of general exercity and a proper standard of morals and efficiency throughout the administration. This stircl intraction necessary in volves difficulties, which are inherent in the nature of our Government in India. The reasselfest to be applied can only be determined by considering the merics of each particular case is to rise as

71. The existing system of promotion up to the grade of First Assist-(87) ants has been found to work

well. Penencious to Gollectorships and Birthett Judgeships are baggly determined by seniority, subject, however, to the condition of personal times. To other higher posts they are made by selection. It would be in the interest both of the administration and of the service if it were possible to refer officers such to rise shore the great of Assistant Outlection of Assistant Judge on reduced pussions. This point will be reverted to in dealing with the question of pensions.

72. The Executive and Judicial branches of the Indian Civil Service comprise the following classes of officers:—

keoptive, Judicial,

Collectors and District District and Sessions Magistrates. Judges.

Assistant Collectors Assistant and Sessions and Sub-divisional Judges.

Magistrates.

So far as civil justice is concerned, the separation of powers is as complete as the circumstances of the country permit. The only revisional powers in possessory suits under the Mamlatdárs' Coorts Act (Bombay Act II of 1908). This Act empowers a Mamlatdár to restore possession of agricultural land, premises, crops, etc., to any person dispossessed otherwise than by due course of law, or entitled to possession by reason of the termination of any tenancy or to protect, by injunction, a person disturbed in his possession. Suits must be filed within six months of the date of the cause of action; and as no questions of title are involved, the aggrieved party can have recourse to a suit in the regular civil courts. Assistant Collectors have no powers under this Act. The special powers conferred on revenue officers for the purpose of assessing land revenue, fixing fair rents and disposing of miscellaneous business connected with rent or land revenue are not really of a judicial nature, but are employed in the former ase to exercise and safeguard the rights of the State in respect of the land, and, in the latter, to

73. In the department of criminal justice, has supprive criminal courts (the High Cent., adminish Countries of Court and the Courts of Session) are presided over by judicial Countries of Session) are presided over by judicial Colleges who have no executive authority. But the District Magnistrate, Sub-durissonal Magnistrates and Badurdinates Magnistrates on Solo executive Officers. The District Magnistrate, who is the head of the police and has secentive courted over their breastgation of crime, is also empowered to exercise.

determine complex economic problems on which the ordinary courts are nufitted to adjudicate,

magisterial powers in criminal cases,
 special powers for the prevention of offences under Part IV, Chapters

offences under Part IV, Chapters VIII to XII of the Criminal Procedure Code,

(3) appellate powers in the case of Magistrates of the second and third classes,

(4) general supervision and control over all Magistrates association to him. Subscrimate Magistrates (with the exception of the Indian Civil Sorrior officers in training who accrete Sed class maggisteral powers before they are given a revenue clarge) of all classes and although they have no extra-joileful authority over the district police, discharge, in addition to take judicial functions, a variety of miscellaneous executive district. They may execute exceptive classes. They may execute supervision over the work of Madistatins and their exhibitionants of village officers, over local loards, nuncicipalities and surface you can be considered with the control of the control

d deal with such matters as the following:
(a) Collection of land, irrigation and mis-

cellaneous revenue.
(6) Assessment of income-tax.

(c) Work of sub-treasuries.
(d) Inspection of crops,

(a) Auspection of crops,
 (b) Maintenance of the record-of-rights.
 (f) Disposal of waste lands.

(g) Regulation of greating in Government

(h) Grant of assistance to superior holders to recover rept.

(i) Grant of tagdei.

No change is desirable.

74. The remaining information desired by the Royal Commission regarding conditions of service will be found in the annexures to this chapter.

### CHAPTER X.

CONDITIONS OF SALARY.

75. From the general purport of the interrogatories drawn up by the Royal Commission relative to salary and other matters more particularly affecting the personal interests of members of the Indian Civil Service, this Gorernment infers that they are primarily intended to be addressed to individual members of the service and to elicit expressions of opinion on existing conditions and on the various proposals which are submitted to discussion, as well as to invite alternative proposals. Such opinions should represent the interests concerned, and it is therefore presumed that it will be deemed the most satisfactory course to ascertain them by means of the direct evidence of individual There are strong objections to any Government committing itself to expressions of opinion in hypothetical cases or to generalizations on subjects which have constantly to be dealt with in a particular application. Such general pronouncements, except so far as they may be necessary to explain an accepted rule of policy, must be limited by so many reservations that their utility is at best doubtful. They are also apt to encourage expectations which unforeseen circumstances may render it impracticable to fulfil; and they tend to impose restrictions on the freedom of discretion which every Government must reserve to itself in matters which affect its responsibility.

76. The Government of Bombay consider that particular proposals of an administrative nature can be more conveniently initiated or considered by them in the ordinary course of their adminis-tration and with special reference to the merits of individual cases. There are, however, some points both of general interest and of detail in which it may be of adventage that the views of this Government should be recorded at this

It is unfortunately the case that there are not wanting symptoms of dissatisfaction, especially among the junior members of the service, both in this Presidency and, as it is believed, elsewhere, with regard to their position and prospects. The causes are in some instances local and capable of remedy by improvements and adjustments in the cadre. But others of a general nature are also adduced. The chief of these is the marked increase of late years in the cost of living, a hardship which affects all the cost of thing, a natural manual action classes in receipt of fixed salaries, and, concurrently with this, the fact that, while the emoluments of several important branches or the public service have recently been considerably cubanced, there has been no proportionate improvement in those of the Indian Civil Service, and, in the case of the majority of the posts held by that service, no improvement at all. Such dissatisfaction is believed to be felt mainly among the junior members of the service, the

conditions of which in its early years are at least no better than those of certain other services whose conditions have of recent years undergone Whether such dissatisfaction improvement. improvements to be a state of the case assessment of the cases, whether it is justifiable, whether, if so, it is producing or is likely to produce seriously detrimental effects on the efficiency of the service and, in that case, in what direction a remedy should be sought, are questions of very grave importance which this Government, if sufficient prima facie grounds can be definitely established, would be glad to see carefully and completely investigated.

The existing system of acting allowances and officiating grade pro-motions works well on the

whole and is not productive of inconvenience to the administration. In most cases, it is believed, the arrangement is also to the satisfaction of the officers concerned. Attention has, however, been drawn to what is perhaps, the most typical and important case of acting promotion involving increased responsi-bility, that of an Assistant Collector acting as a Collector, and the corresponding case in the Judicial branch. It is contended that an acting officer incurs expenditure little, if anything, less than the substantive incumbent and that his work and responsibilities are the same : that the pay of a Junior Collector and of a Third Grade Judge (Rs. 1,800) is certainly not in excess of the social and official position of these officers; that the lower rates of acting pay are inadequate; and that in such a case the acting officer should be allowed the full substantive pay of the appointment. The principle would apply only in cases where there is a decided and material increase in responsibility, as in that of an Assistant Collector acting as Collector or a Collector acting as Commissioner, but not to officers acting in a higher grade of their own class of appointment. This Government considers that there is much justice in these contentions and would view with satisfaction the recognition of the principle contended for.

As regards a time-scale of pay, this Government, though not pro-pared to express definite-

approval without mon mature deliberation, considers that it offers distinct advantages in some respects. It would do something to solve difficulties relating tocadre and promotion as they affect junior officers (vide paragraph 77). In its application to senior officers it is open to very serious. objections. A time-scale terminating at a point short of the period when an official would ordinarily attain to a past of the rank of Collector or District Judge might, if satisfactory solutions can be offered of the difficulties in regard to the classification of appointments for the purposes of recruitment, be favourably considered. Similar arrangements have recently been introduced into the Public Works and Forest Departments buthave not been sufficiently long in operation to-sipport inferences as to the probable success of their application to a case of greater difficulty.

and complexity.

CHAPTER XI.

CONDITIONS OF LEAVE.

80. For the reasons stated in the preceding chapter, the Government of Bombay are not prepared to discuss in detail the various questionsarising out of the existing leave regulations of the Indian Civil Service. Apart from these general grounds, they are at present engaged in considering a reference which has been made to them by the Government of India relative to-

certain recommendations in regard to the conditions of leave suggested by the Decentralization Commission. They have consulted selected officers, the replies of some of whom are still awaited, and the whole question is being exhaustively investigated. Pending the completion of this investigation, it would be premature to formulate any definite conclusions or proposals in the direction of reform. It may, however, be stated in general terms that, though the rules are on the whole recognized to be adequate and even liberal, there are some points, rather of detail than of principle, to which exception is taken by the officers concerned; that a considerable degree of inconvenience has been caused to the administration by the unavoidable necessity of frequent transfers, though a distinct improve-ment has been effected in this direction in recent years; and that there is a general convensus of opinion as to the desirability of making the rules more simple and elastic so as to reconcile more completely than is the case at present the interests of the administration and of individual officers.

Whatever measures are ultimately adopt-81. ed, the Government of Bombay do not consider that they should be in the direction of restricting the amount of leave now taken, either by reducing leave allowances or by imposing more onerous conditions. So far as is compatible with other essential claims of the public service, it is greatly in the interest of efficiency that officers should be encouraged to avail themselves of all reasonable means of maintaining their health and energy, and neither the existing facilities nor the extent to which they are resorted to are in excess of what may be regarded as reasonable in view of the ardnous conditions in which the grest majority of civilian officials have to work. Any marked diminution of the amount of leave taken would not only react unfavourably in this respect, but would also opposion grave difficulties in regard to the leave reserve and the prospects of junior officers which, as has been remarked above, have already been the object of serious concern on the part of this Government.

82. The information desired by the Commission in regard to the amount of leave taken by officers of the Indian Civil Service is furnished in the annexures to this chapter. They include a pricti of the various discussions which have taken place regarding the leave regulations which may also prove of interest and utility.

#### CHAPTER XII, CONDITIONS OF PERSION.

- 83. The questions dealing with the Ponsion Regulations of the Indian Oriti Service cause be adequately discussed, in many instances, without elaborate actuarial calculations and access to information and statistics which are not armithal in cases where neutral investigation could be dispensed with, systematic enquiry in other directions would be necessary and such systematic enquiry has not been made. On the existing data, therefore, the Government of Bunday are not prepared to express an of Bunday are not prepared to express an
- opinion.

  88. They have considered the question of a system of reduced proximes (1948) for officers who have not proved life for officers who have not proved life for promotion to the more important and responsible superior posts, and their view is that their heads would be greatly stronglussed in the number of promotions and retirements, if such a system existed, and their promotions and computerally retired, the reduced pensions might be not the same scale as that referred to in Article 564 of the Critic further service on account of illness, but provision might also be made for family pressions or
- 85. On other points the Government of Bombay would prefer to reserve opinion until they have before them, at a later stage, the definite recommendations of the Royal Commis-

at least for the repayment with interest of the

amount of their subscriptions to the Indian Civil

Service Family Pension Fund.

### ANNEXURES TO CHAPTER IX.

### CONDITIONS OF SERVICE.

### ANNEXURE No. I.

STATEMENTS REGARDING THE SALARIES DRAWN BY JUNIOR MEMBERS OF THE INDIAN CIVIL SERV STATEMENT A.

Showing Officers of over eight years' service not drawing more than Rs. 1,000 per mensem during each quarter of the last five years 1908—1912.

(74) Officers of over eight years' service not drawing more than Rs. 1,000 per measure during each quarter

January.		April			July.			Octob
Name of effect.	Salary.	Name of officer,	Sa	dary.	Name of officer,	ĺ	Salary,	Name of office
	Rs.			is.			Rs.	
	}	1895.	- 1		1895.			1895.
	}	J. Ghosal	3	909	H. L. Painter		900	J. Ghosal
	1	H. L. Painter	1	900				
1896.	1	1896.	- )				ì	
C. V. Vernon .	900			900				
1897.	{ · .	1897.			1897.			1897.
A. K. Kama .	900	A. K. Kama		900	A. K. Kama			A. K. Kama
	1	C. S. F. Crofton		900	C. S. F. Crofton	***	900	C. S. F. Crofton
1898.		1898,			1898.			1898.
	900	A. D. Brown			A. D. Brown	•••		A. D. Brown
	766	E. G. Turner	•••	766	E. G. Turner	***	900	W. O. Alcock
E. G. L. Lair	d 766	}	- 1				1	E. G. Turner
MacGregor.		1899.			1899.			1899.
1899. A. C. Wild	768	A. C. Wild*		966	A. C. Wild*		966	A. C. Wild*
O T 341	Hed	C. S. Campbell*		916	C. C. Dutt	***	800	W. F. Hudson*
G C C 11 11	916	C. C. Dutt	- 1	500	O. O. Dun	•••	100	W. F. Mudson
20 10 1 2022 11	766	R. E. A. Elliott		766				
	. 966	W. F. Hudson*		966			1 .	1
			"]				1	!
10	Į.	12	- (		7		l	8

January.			April,			July.		Octob
Name of officer.	1	Salary.	Name of officer.	≳nla	ry.	Name of officer.	Salary.	Name of office
1894.		Rs.	1894.	R			Rs.	
TO T CL. 10	•••	900	17 F C-1.	90	ю	*		
J. Ghosal H. L. Painter	-	900	T (Theres)	90	0			
		900	1896. C. V. Vernon	90	0			
1897. A. K. Kama		900	1897. W. T. W. Baker	90	n	1897. A. K. Kama	900	1897. A. K. Kama
W. T. W. Baker		900		91		W. T. W. Baker	0.00	W. T. W. Baker
C. S. F. Crofton		900	C I DI	90	0	A. E. L. Emanuel	766	
C. A. Beyts		900				1		
1898. W. O. Aleock			1898.	1 .	_	1898.		1898,
1899.	•••	766	W. O. Alcock 1899.	76	ь	W. O. Aleock	766	W. O. Alcock
A. C. Wild*	]	966	C. S. Campbell*	9	6	C. S. Campbell*	916	1
W. F. Hudson*		966		96	6			
1900. J. P. Brander	- (		1900.	١	. !	1900.	Į.	1900.
C. H. Blathwayt*	•••	766	J. P. Brander	76		J. P. Brander		J. P. Brander
V M Frances	***	916 766	C. H. Blathwayt*			E. H. Waterfield		V. M. Ferrers
E H W-1C.11		766	V. M. Ferrers	76		C. G. Henderson		E. H. Waterfield
, accepted	"	100	E. H. Waterfield C. G. Henderson	76		Balak Ram	766	C. G. Henderson Balak Ram
	Ē			•••  "	ru		f	Deter with
12	- 1		14	1.		9	1	8: ::

Statement A—(continued).

(34) Officers of over eight years' service not drawing more than Rs. 1,000 per newsem during each quarter of 1910.

January.		April.		July,		· Oatober	
Name of officer,	Enlary,	Rame of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
1896. G. Mouteath	Rs. 980		Rs.		Rs.		Rs.
1897. A. K. Kama A. E. L. Emanuel	900 900	1897. A. E. L. Emanuel .	900			1897. W. T. W. Baker	900
1898. W. O. Alcock E. G. L. Laird MacGregor.	900 900	1898. W. O. Alcock E. G. L. Laird MacGregor,	900 900	1898. W. O. Alcock E. G. L. Laird MacGregor,	900 900	W. O. Alcock E. G. L. Laird MacGregor.	900 900
O. Rothfold R. E. A. Elliott	900 900	1899. O. Rothfeld S. J. Murphy R. E. A. Elliott	900 900 900	1899. O. Rothfeld R. E. A. Elliott	900 900	1899. O. Rothfeld A. C. Wild , C. C. Dutt	900 900 500
J. P. Brander V. M. Fetrers C. G. Henderson Balak Ram	766 900 766 766	J. P. Brander V. M. Ferrers C. G. Henderson Balak Ram	766 900 766 766	J. P. Brander V. M. Ferrers C. G. Henderson Balak Ram	766 900 766 766	J. P. Brander V. M. Ferrers C. G. Henderson Balak Ram	766 900 766 766
A. W. Varley H. B. Clayton K. W. Barlee J. R. Martin E. L. Moysey F. W. Allison W. C. Tudor Owen	700 766 766 900 700 900 950	A. W. Varley K. W. Barlee J. R. Martin* E. L. Moysey F. W. Allison W. C. Tudor Owen	766 900	A. W. Varley K. W. Barlee J. B. Martin* E. L. Moysey F. W. Allison W. C. Tudor Owen	700 766 966 766 900 950	1901. A. W. Varley K. W. Barlee F. W. Allison W. C. Tudor Owen	766 766 900 1,000
18		16		14		14	

	eigni y	April.	mg mot	July.	nen-cas	during each quarter of .		
January.		Apti.		outy.	.—			
Name of officer.	Salary,	Name of officer.	Salary.	Name of officer,	Salary.	Name of officer.	Salary,	
1897. W. T. W. Baker	Rs. 900	1897. W. T. W. Baker	Rs. 900		Rs.		Rs.	
1898. W. O. Aleock	900	1898. W. O. Alcock	900.	1898. W. O. Alcock	900	1898. W. O. Alcock	900	
1899. A. C. Wild C. C. Dutt	900 500	1899, A. C. Wild C. C. Dutt	900 500	1899. C. C. Dútt	500	C. C. Dutt	500	
1900. V. M. Ferrers C. G. Henderson Balak Ram	900 900 900	1900. E. H. Waterfield Balak Ram	900 900	1900. E. H. Waterfield	900			
1901, K. W. Barlee E. L. Moysey W. C. Tudor Owen	766 766 1,000	1901. W. C. Tudor Owen.	1,000	1901. W. C. Tudor Owen .	1,000	A. W. W. Mackie E. L. Moysey W. C. Tudor Owen	900 766 1,000	
P. B. Haigh R. R. Gibson J. Monteath	766 1,000 1,000	1902, P. B. Haigh J. Monteath	766 1,000	1902. J. Monteath	1,000	1902. J. Monteath	1,000	
13		9		5		6		

Note.—Officers nathed with an asterisk officiated in superior appointments but their emoluments were less than Rs. 1,000 per moment.

### STATEMENT, A-(concluded).

(74) Officers of over eight years' service not drawing more than Rs. 1,000 per mensem during each quarter of 1912.

January.		April.		July		Ontober.	:	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer,	Salary.	Name of officer,		Salary.
	Rs.		Rs.		Rs			Bs
		1897.		, ,				٠.
		W. T. W. Baker	900	!				
1898.		1898,	ا. ا	1898.		1898.		
W. O. Alcock	900	W, O. Aleoek	900	W. O. Alcock	900	W. O. Alcock		900
1899.	-	1899.	,	1899.		1899	-	
C. C. Dutt	500	C. C. Dutt	500	C. C. Dutt	500	C. C. Dutt		.00
1900.		1900.		1900. g	4	, ,	-	
G. A. Thomas	900	G. A. Thomas	900	Balak Ram	900		1	
Balak Ram	900	Balak Ram	900					,
1901.		1901.		1901.		1901.		٠.
A. W. W. Mackie	766	J. Crerar	766	A. W. Varley	766	A. W. Varley		766
F. W. Allison	766	A. W. Vatley	766	H. B. Clayton	900	A. W. W. Mackie		900
W. C. Tudor Owen.,	1,000	A. W. W. Mackie	900	A. W. W. Mackie	900	F. W. Allison		900
		F. W. Allison	766	F. W. Allison	900		Į	٠.'
1962.						1902.	İ	
J. Monteath	1,000					J. T. Scotson	-	766
1903.		1903.	,	1903.		1903		
-A. M. MacMillan	766	A. M. MacMillan	768	A. M. MacMillan	766	C. W. A. Turner		1,000
A. Montgomerie	766	E. J. Bolus	766	E J. Bolus*	916	A. M. MacMillan		766
J. E. Husbands	766	A. Montgomerie	766	J. E. Husbands	766	E. J. Bolus	-	766
		J. E. Husbands	766	H. L. Fox	866	H. L. Fox		760
		H. L. Fox	766					
11		14 :	1	11		10	.	

#### APPENDICES.

### STATEMENT B.

Showing officers of over two years' standing and under eight years' service drawing more than Re. 1,000 a wouth during each quarter of the last five years 1908—1912.

Officers of over two but under eight years' standing drawing were than Rs. 1,000 a month during each quarter in 1908.

January.			April.			July.		October.		
Name of officer.		Salary.	Name of officer.		Salary.	Name of officer,	Salary.	Name of officer.	Salary.	
1900.		Řs.	1900.		Rs.	1900.	Rs.	1900.	Rs.	
P. W. Monie W. W. Smart J. E. B. Hotson G. A. Thomas	•••	1,800† 1,266 1,150 1,150†	W. W. Smart J. E. B. Hotson		1,266 1,250		 1,266 1,250	P. W. Monie W. W. Smart J. E. B. Hotson G. A. Thomas	1,300† 1,266 1,250 1,400†	
1961.			1901.			1901.		1901.		
Balak Ram J. Crerar		.1,200† 1,200	Balak I J. Crerar J. R. Martin		1,200† 1,200 1,866*	J. Crerar	1,500 1,200	Balak Ram J. Crerar	1,500† 1,200	
			1902.			902.		1902.		
			J. E. C. Jukes	•	1,250	J. E. C. Jukes P. B. Haigh J. C. Ker	 1,250 1,050* 1,050†	J. E. C. Jukes P. B. Haigh J. C. Ker	1,250 1,050* 1,050†	
6			8			9		9		

Officers of over two but under eight years' standing drawing more than Rs. 1,000 per mensem during each quarter in 1909.

January.			April.			July.		October,		
Name of officer.	s	Salary.	Name of officer.		Ealary.	Name of officer.	Salary.	I ame of officer.	Salary.	
1901.		Rs.	1901.		Rs.	1901.	Rs.	1901.	Rs.	
J. Crerar	1	,200	J. Crerar	•••	1,200	J. Crerar H. B. Clayton	1,200 1,250	J. Crerar H. B. Clayton	1,200 1,250	
1902,	İ		1902.			1902.		1902.		
J. E. C. Jukes J. C. Ker	3	1,250 1,050†	J. E. C. Jukes J. C. Ker			P. B. Haigh		J. E. C. Jukes J. C. Ker	1,800† 1,050†	
3	ļ		3			5		4		

Note,-Officers marked thus t were serving under the Government of India,

Officers marked thus " were appointed to officiate in superior appointments during short vacancies,

(74)

Ą

T. C. Y. C. T.

Officers of over into but nuder eight years' service in receipt of salary of over Rs. 1,000 pe

		g each q			
	April.		July	1	+ .
Salaty.	Name of officer.	Silary.	Name of officer.	Salary,	Nam
Rs.	1909	Rs.	1909	Rs.	1:
1,250	R. D. Bell	1,250	R. D. Bell		
1,300+	J. E. C. Jukes	. 1,300	J. E. C. Jukes		J. E. C. J.
		. 1,050+	J. C. Ker	1,116†	J. C. Ker
1,1501			1909		10
	C. W. A. Turner	1,366*	B. W. Kissan (with	1,100†	B. W. K
1.	A. M. MacMillan	1,366*	,		
1	B. W. Kissan (with			* 1	
	L. A. 100).		1904.	- 000	
			M. Webb	1,366	
				1 388#	,
	L		n. D. DWodus	1,000.	
}	6	1	6		4
	Rs. 1,250 1,300† 1,150* 1,050†	8alury. None of officer.  Rs. 1902. 1,280 R. D. Bill 1,3004 J. E. C. Jukes 1,1504 J. C. Ker 1,1504 1,10504 1,1504 1,1504 A. M. MacMillan B. W. Kissan (with L. A. 100).	8day. Name of officer. Schey.  Bs. 1902	Solary.   Name of officer.   Solary.   Name of officer.	Salary.   Name of efficier.   Salary.   Name of officer.   Salary.

04) Officers of over two but under eight gener' service drawing more than Rs. 1,000 per during each quarter in 1911.

	-	January			April.	_		1	July.			
					where				, suly.			
		Name of officer.		Salary,	Name of officer.		Salary.	N	ame of officer		Salary.	Name
	_		1	Rs.	<u> </u>		Rs.				Rs.	
	В,	1903. W. Kissan		1,100†	1903. C. W. A. Turner				<i>1903.</i> 7. Kissan		1,100+	A, M. 1
					B. W. Kissan H. L. Fox		1,200 <del>1</del>					A. Mon B. W. F
ċ	:	!			1904. L. Graham		1,100	L, G	1904. rabam			L. Grah
		,	-		J. H. Garrett	•••	1,866*	J. W	. Smith	•••	1,266	J. W. S
	_		- 1					_	į			G. Leat
	1				5			3	1		,	6 .

(74) Officers of over two but under eight genre' service drawing more than Rs. 1,000 per induring each quarter in 1912.

Jamary.			Apri	l.			July.			
Name of officer.		Salary.	Name of office	er.	Salary.	Ne	ame of officer.		Salary.	Name
1904. L. Graham J. W. Smith 1906. G. Leathem	***	Rs: 1,200 1,500 1,100†	1904, L. Graham J. W. Smith 1906, G. Leathem	•••	Rs. 1,200 1,500 1,100f	J. W.	1904, aham Smith 1905. Covernton	•••	Rs. 1,200 1,500 1,866*	L. Grahs J. A. Shi
3			3			3				2

### STATEMENT C.

Showing officers of over two but under eight years' service who have not obtained officeating charge of inferior posts during acceptance of the last five years 1908-1912.

(74) Officers of over two but under eight gent' service who have not obtained officiating charge of inferior posts during each quarter of 1908.

January.	ļ	April.	-	July.	-	October.		
Name of officer.	Salary.	Name of officer.	Salisry.	Name of officer,	Salary.	Name of officer.	Salary	
1904.	Rs.	1904.	Rs.		Rs.		Rs.	
Y. Greer W. Smith	500 500	H. Abdul Ali G. Wiles M. Webb J. H. Garrett W. Greer J. W. Szeith	500 500 500 500 500 500			Nil.		
1905.		1905,		<i>1</i> 905.				
S. H. Covernton R. S. Broomfield R. B. Milne L. V. M. Robertson . R. T. F. Kirk	500 500 500 500 500	S. H. Covernton R. S. Broomfield R. B. Milne L. V. M. Robertson R. T. F. Kirk	500 500 500 500 500	R. B. Milne	500			
		1906.		1906.				
		G. Leathem	450	G. Leathern	500			
7		12	1	2	1			

(74) Officers of over 1000 but under eight years' service who have not obtained officiating charge of inferior posts during each quarter of 1909.

	January.	•	April.	-	šely.		October.	10.0
	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer,	Salary.
į	1904.	Rs.		Rs.		Rs.		Rs.
	M. Webb W. Greer J. W. Smith	500 500 500						34.
	1905.		1905.					1.7
	S. H. Covernton R. S. Broomfield R. B. Milne L. V. M. Robertson . R. T. F. Kirk	500 500 500 500 500	S. H. Covernton R. S. Broomfield R. B. Milne L. V. M. Robertson. R. T. F. Kirk	500 500 500 500 500				
	1906.		1906.		1906.		1906.	1
	G. Leathem O. H. B. Starte J. Nissia N. H. Hey J. A. Shillidy A. Master L. J. Sedgwick R. M. Maxwell	500 500 500 500 500 500 450 500	G. Lesthem O B. B. Starte J. Nissim N. H. Hey J. A. Shillidy A. Master L. J. Sedgwick R. M. Maxwell	500 500 500 500 500 500 500	J. A. Shillidy  A. Master L. J. Sedgwick R. M. Maxwell	500 500	A. Master L. J. Sedgwick	100

### STATEMENT C .- (contd.)

		·			THE STATE OF THE S	737 7377	
	452	ROY	FAL COMMISSION O			IN INI	IIA.
344			STA	TENENT	C(contd.)		
	(74) Officers of o	ver two l	nt under eight years' posts dur	d officiati	ng charge		
	January.		April.		July,		
	Name of officer,	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name
	1905.	Rs		Rs.	1 -	Rs.	
#1	R. S. Broomfield R. B. Milne	500 500					3
	L. V. M. Robertson . R. T. F. Kirk	500 500			}		1
	1996.		1906.		1906.		
::-1	G. Leathem	500	J. Nissim	500 500	A. Master	500	į
	J. Nissim N. H. Hey	500 500	N. H. Hey J. A. Shillidy	500	-		
1.	J. A. Shillidy A. Master	500 500	A. Master L. J. Sedgwick				. !
9.00	L. J. Sedgwick R. M. Maxwell	500 500	R. M. Maxwell	500			
	1907.		1907.		1907.		11
	D. G. Mackenzie	500	D. G. Mackenzie R. B. Ewbank	500 500	D. G. Mackenzie C. B. Critchlev		C. B. Crit
	R. B. Ewbank C. B. Critchley		C. B. Critchley	500	J. A. Pope	500	J. A. Pop J. S. Coll
West 1	J. A. Pope J. S. Collet	500 500	J. A. Pope J. S. Collet	500	J. S. Collet G. C. Shannon	500	G. C. She G. S. Hai
hr i	G. C. Shannon G. S. Hardy	500 500	G. C. Shannon G. S. Hardy	500 500	G. S. Hardy	. 500	
100		500		000	7	1	-
15.	18		13	<u>l</u>	<u> </u>	1	5
	(74) Officers of	over two	hut under eight years' posts du	service ning ea	who have not obtain ch quarter of 1911.	ed officia	ing charge

	Jenuary.		April,	.	July.		
į.	Name of officer.	Salary.	Name of officer,	Salary.	Name of officer,	Salery.	Nam
	1906.	Rs.		Rs.		Rs.	
1	A. Master L. J. Sedgwick	F00					
Č	1907.	Ì	1907.		1	1	
H.	D. G. Mackenzie R. B. Ewbank C. B. Critchley J. A. Pope J. S. Collet	500 500 500	G. S. Hardy ,.	500			. '
7, C. V.	G. C. Shannon G. S. Hardy	500			Nü.		
γ. 3.	1908.		1908				
<u>1</u>	A. R. Dalal A. F. L. Brayne A. E. W. Steward W. P. Cowie J. F. B. Hartshorne H. Montgomery	500 500	A. R. Dalal A. F. L. Brayne A. E. W. Steward W. P. Cowie J. F. B. Hartshorn H. Montgomery	500			
	15		7			1 1	

Bombay.

## STATEMENT C.—(coxedd.) Officers of over two but under eight years toroise who have not obtained officiating charge of inferior posts during each quarter of 1912.

January			Àpril		Jely.		October.		
Name of officer,		Salary.	Name of officer.	Salary	Name of officer.	Salary.	Name of officer.	Salary.	
		Rs.	1908.	Rs.	1908.	Rs.		Rs.	
			A. F. L. Brayne A. E. W. Steward W. P. Cowie J. F. B Hartshorn H. Montgomery	. 500 . 500 e 500	A. F. L. Brayne A. E. W. Steward W. P. Cowie J. F. B. Hartshorne H. Montgomery	500 500 500	Nil.		
E. H. P. Jolly N. J. Wadia J. A. Madan H. Denning J. Abbott		500 500 500 D.A. 50 500	J. Abbott	. 500 . 500 . 500 D.A. 50	J. Abbett	500 500 500 500 D.A. 50			
A. M. Green 6	140	500.	A. M. Green 11	. 500	A. M. Green 11	500			

### ANNEXURE No. II,

STATEMENTS SHOWING THE GADES AND STRENGTH OF THE INDIAN CIVIL SERVICE FOR THE BOMBAT PRESIDENCT.

(75) Corrections have been made in the lists where necessary as follows:—

AA.

Statement showing the Cades and Stremen of the Indian Civil Service for the Bohrat Presidency as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the Boles made under the provisions of section 6 of the Government of India Act, 1870, 33 Vic., cap. S.

		201110113
1		2
<ol> <li>Number of "superior" posts, i. s., posts carrying a salar month in the Presidency or province.</li> </ol>	y of over Rs. 1,000	) a 84
2) Definet for posts listed as open to Provincial Service  2) Add for posts under the Government of India (a)		6 8
<ol> <li>Balance number of "saperior" posts</li> <li>Add 4 per cent. for temporary posts and for deputation. additions are made in the lowest grade of assistants.]</li> </ol>	[N.B.—For such po	86 sts 3
6) Total number of "superior" posts on which recruitment is 7) Add "inferior" posts, i. e., posts above the lowest grade of the "superior" posts, at 39 per cent. of line (6)		89 orv 35
S) Add leave reserve at 40 per cent. of line (6)  Add training reserve at 15.5 of line (6)		35 18
10) Strength of service required at 194-5 per cent. of line (6)	***	173
11) Rate of recruitment at 4:17 per cent. of strength shown in	n line (10)	7.2

<sup>(</sup>a) The Squeez under this line are Seed arbitrarily from time to time for purposes of normitarna, and are not intended to limit or guarantee the number of pasts under the Greenmont of India, which may at any time be filled from a particular privation.

### LIST B.

### BONBAY (INCLUDING SIND).

### Superior posts in order of pay.

Number.	Dodgustion.	Pay of each.	Names.	Designation.	Pay of coon,
3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Commissioner of Case  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Sold (Case)  Learn Learn Sold (Case)  Learn Lear	4,000 3,750 3,750 3,750 3,750 3,750 3,750 3,750 3,750 3,750 2,550 2,550 2,550 2,550 2,550 2,755	1 1 5 Total84 Decapor—6	Registrar of Co-opera- sive Societies	### dillomates   ### di
		£ 100,	Total53		<u> </u>

on No. 2,033 and Ho. 2,600 which can be raised to No. 8,600 per second rates the appointment is

i Bald by a moment of two avects organizations. Just Affairs. Recreens, Oedector of Bombay and Disorder of Agriculture and Co-operative Credit Scoleties, but surficies Collecti

ozed to raise the pay of these five appella transis to Na. 1,290.

Statement thowing the number of Indian Civil Servants in Bombag employed under the Covernment of India in each quarter during the last 5 five years (from 1708 to 1912).

			1	\$03.		1	10.			1610,			1911.		1	FI2.	
			On duty.	On leave-	Total.	On daty.	Qn leste.	Total,	On doty.	On leave.	Tota .	On dety.	On leave.	Total.	Qu disty.	On Jeage.	Total.
Jamery	**		17 (18+4)	1	19	24 (13+2)	3	17	15 (10+8)	3	35	15 (15+2)	2	17	12 (11+1)	a	18
April	-	-	17 (13+1)	2	19	16 (13+3)	1	17	16 (10+4)	- I	1.5	18 ((1+2)	4	.17	11: (10+1)	1	IS
July	-		15 ( <b>9+8</b> ,	4	19	23 (12+2)	3	16	16 (11+2)	,	16		,	16	10 (9+1)	3	13
October	196	-	14 ( 945)		18	13 (10+3)	3	18	15 (9+4)	2	1 1	14 ([1+8]		17	11 (20 £1)	. 1	12
					-			_	L		L						
	Total		63	IT.	75	33	9	æ	55		65	55	12	C7	46	8"	62 °

Average per year in Total for all quarters motor each head 319 \_\_ 18-5 on duty, 2-35 on leave, 16-95 total.

#### ANNEXURE No. III.

Containing information regarding the superior

posts.

To supply eight superior posts shown in list B\*
as held under the Gov-

\* Fide Annexare II. ernment of India the total strength required in accordance with the accepted principles is

15 56 as shown below:—
(1) Superior posts ... 8-0
(2) 4-d inferior posts at 33 per cent.

of line (1) ... 8-12
(3) Add leave reserve at 40 per cent

of line (1) ... 3.2

(4) Add training reserve at 15.5 per

t) Ada trauming reserve at 10.9 per cent. of line (1) ... ... 1.24 Total ... 15.56

while the statement appended shows that on an average of five years the number of officers serving under the Government of India was as follows:—

It will be seen that there is not much difference in the total number though the average number of superior officers exceeds the accepted number (8) by nearly three.

### ANNEXURE No. IV.

Containing information relative to superior posts allowed for temporary appointments and deputations.

The subjoined table shows the total number
of deputations in each quarter of the past five years.

Year.		Jeauary.	April.	July.	October.	Total.
1908		.,	2	4	4	10
1909		5	ě	5	4	19
1910		ő	5 .	6	6	20
1911		8	7	8	8	29
1912	•	10	7	†	6	20
Total		26	26	80	28	I10

Annual average  $\frac{110}{20} = 5.5$ 

In list B of experior appointments printed in Annexuro II the total number of departations is stated to be three. Allowance for one more stated to be three. Allowance for one more temporary appointment (sir., Special Officer for Building Sites) is under in companing the interior charges mentioned in Americare VI. Deducting these four appointments the net excess in departations comes to 1-5. This excess is parally due to the continuous appointment of a member of the service to hold the post of Chairman, Bombey Improvement Trust, and partly to the departation of officers under the Political Department in excess of the sanctions anumber, sir. S.

With reference to the latter class of appointments, the Government of India have directed that the appointments in crosss of three under the Political Department should be provided either from the reserve for temporary appointments and deputations or from the Bombay Political Service.

#### ANNEXURE No. V.

Containing information regarding the arrangement for filling temporary experior posts. — In paragraph 28, Chapter V of the Memoran-

dum prepared in the Home Department of the Government of Iudia with respect to the Indian Civil Service it is stated that the lowest grade in the cadre of the service is kept, first, for officers under two years' service who should be regarded: as under training; secondly, for a reserve against leave vacancies; and thirdly, to cover vacancies caused by the absence of officers in temporary posts and on deputation. Vacancies of this last-named character are constantly recurring in the ordinary course of administration, as when a census is held, or a colonization scheme is on foot, or arrears have accumulated and have to be cleared off, or a special enquiry is in progress, or the loan of an officer is made

### ANNEXURE No. VI.

to a Buling Chief, and so on, and some provision

to fill them is therefore necessary. Presumably it is to the system of filling these vacancies that

reference is made in this question. The arrangement according to which the vacancies

are filled seems to work satisfactorily.

Containing information relative to inferior posts.

For the proper administration of this (Bombay) Presidency the following 51 charges, at

present classed as inferior, are required to be filled by members of the ladian Civil Service;— 37 Sub-divisional officers (Assistant Collectors).

7 Assistant Judges or Joint Judges. \*2 Superintendents of Land Records and Registration.

Special Officer, Salsette Building Sites,
 Personal Assistant to Collector,

3 Inferior appointments under the Government of India.

Government of

The number of inferior appointments calculated at 59 per cent. of the number of superior posts (93) shorns in list Ad printed in American II is 55. Besides these, five Assistant Collectors on Re. 1,200 will be available to hold five of the 51 charges if the proposals made by this Government for the creation of a new grade of Assistant Collectors are sanctioned by the Secretary of State. There will be thus a dedcision of 11 officers required to fill the remaining eleven charges. Proposals have been made to the Government of India for the creation of two superior posts on Re. 1,200 for Assistant Judgeships and as additional inferior post (an Assistantiship on Rs. 900). If these proposals are sanctioned the deficiency will be reduced to 8.

There are four such appointments. One is provided for in superior appointments and one it has been decided to reserve for a member of the Provincial Civil Service.

### The following statement shows the number of officers under training

during the first two years of their service in each quarter of the last

ANNEXURE No. VIL

456

nve y	enta:							
	Year.		Janu- sey.	April.	July.	Octo- ber.	Aver age.	
			1		1		1	
1908	***	,	15	Ιā	15	15	15	
1909	***		13	13	13	13	13	
1010			10	10	10	12	12	

'n 11 11 7011 11 11 11-25 1912 11 19 11 12:45 Annual sversee

The number of officers under training allowed under the recruitment scheme, i. c., 15.5 per cent. of superior appointments, comes to 13-8.

### ANNEXURE No. VIII.

The subjoined table shows the number of officers holding superior and inferior posts and of officers under training who were on leave on 1st July of each of the past five years :-

Ye	er let July			3 to S years'	Officers of 1st and 2nd year of service.
1908			29	7	
1909			29	7	
1910	***		24	6	
1911			31	6	
1912	***	**	30	7	-2010.004
	Total		143	38	*****
	Average		28.4	66	
ing	umber sec to the sece lard.			5-96	*5

It will be seen that the difference is too small to require any alteration.

### ANNEXURE No. 1X

Statement A compares for each of the past 20 years the number of (83) actual decrements with that due on the accepted decremental rate. The total number of decrements during the past 20 years was less than the number due by about eight. Statement B shows that the average decremental rate for this Presidency for the past 20 years comes to 3.78 which is less than the accepted rate for the whole of India by only 39 per cent. It is to be noted that there has been a marked fall in the number of actual decrements since 1903, except in 1909, in which there was an extraordinary number of retirements,

### So far as can be seen, the fall in decrements is likely to continue for at least five or six years. STATEMENT A.

List of decrements in each quarter of the

_			- 1	pest	20 y	ears.		,	
Year	£ .	Jun- BUT:	April.	July.	Octo- bet.	Total,	Average strength	No. of doors- ments- at \$17 per cent.	Romatka.
1853	_	1	3	2	1	7	151-8	-6	
1894	-	1	4	1		0	15219	6	i
1995		-	2	2		4	155-€	0	t
1306	-	- 4	5	2	3	n	165.2	,6	
187	_	7	4	4	1	15	145'0	6	
1893	_	1	-	3	3	7	148%	0	٠.
1820	-		1			1	147.5	6	,
1930		1	8	2	3	9	383:2	6	
1991	~	2	5	1	1	6	155'2	6	
1933	-	s	1	2	5	8	167° B	6	
100	-	-	1	3		4	168-8	7	
1004	-	-	3	2	2	6	63.6	7	
1995		~		2		4	165:5	7	
1000		-	1	3	1	- 4	167° B	7	
1007			1	1		2	17113	7	
1908	-	5	-	-		2	176 6	7	1
(939		8	- 4	***	3	10	176 8	7	
1980	-	2		3	~-	δ	174 8	7	1
1911	-	2			1	3	179-5		
2020	- 1					1 -	1550		1

### STATEMENT B.

Showing average decremental rate for the Presi-

٠		den	cy of	Bou	ibay.	for t	he las	i 20 yea	rs.	
	Test.	Jan- miry.	åprli,	July.	Octo- ber.	Yotal:	Average strength	Number of decre- ments.	Percent-	Remarks.
				_		l				Γ

157 153 155 153

10 100 154 163 1555

156 163 145 143 400 248-0

148 16 142 14 1408

148

133 155 153 151 IST'S

188 188

16 110

163

\_ 123 173 171 150 151:9

177

177 170 176 705 1770

1915 16 118 157 155 651 157 15 156

1965 \_\_ 303 167 165 163 16515

1900 . 16 109 168 102 10770

H03 ... 173 175

1908 151 176 174 174 500

1039 177 175 1:5 172 500 1242 5 2:35

1911 ... 375 175 375 700 173'8 3

1912 ... 180 165 207 10

163 143 16 (51

364 15

175 175 129.2

Test.	Jan- enty.	åprli,	Jaly.	Octo- ler.	Yotal:	Average strongth	Number of decre- ments.	Percent-	Remarks.
883 -	154	353	150	148	605	161.50	7	493	
g)4	lte.	151	150	140	638	152.0	e	3.63	

823 165\*2 G 3.58

703

16875

102-5

1757 'n 2- 67

7 '07

10:81

4.28

185

Ess

5.83

217

2:43

2:39

1:14

5105

1:77

3-85

2:78

• 112

#### ANNEXHBE No X

Comparison of the theoretical with the actual strength of the Indian Civil Service.

The present theoretical strength of the series is 173, while on 1st July 1912 the actual strength was 176 and on the 1st January 1918 it was 181. The access is due to the docremental being less than the number due in accordance with the accepted annual decremental rate. (FWs Statements A and B printed in Auseum)

### ANNEXURE No. XI.

Containing information relative to the principles on which the annual indent for recruitment to the Indian Civil Service is regulated.

In accordance with the instructions correyed in the latter from the (66) Government of India, No. 58, dated 27th Junuary 1900, the Local Governments and administrations have to test the actual and prespective conditions of the Indian Uril Service as compared with the requirements for superior appointments and send in their indents for the recruitment of the service as young as possible in the beginning of each year. The process followed in determining the number of recruits is as follows:—

- The number of superior appointments is determined.
- (ii) The number of total strength according to the accepted principles is then calculated on the number of superior appointments, z.
- (iii) On the total strength, z, the number of recruits, A, at the accepted rate (417 per
- cent.) is then calculated.

  (iv) The actual strength of the service on 1st January is then determined.
- (v) The number of probable decrements for the ensuing six months at the accepted decremental rate is then deducted from the actual strength on 1st January and thus the probable strength on 1st July next, g, is calculated.
- (vi) Thirty per cent. of the difference between x and y is then added to or subtracted from A, according as y is less or greater than x.
- (vii) The result  $A \stackrel{+}{=} \left( \begin{array}{c} x \stackrel{<}{>} y \end{array} \right) \frac{\pi}{100}$  is the number to be indented for.

Tolerably accurate results are secured by these principles, provided the actual decremental rate coincides with the accepted decremental rate.

## ANNEXURES TO CHAPTER X CONDITIONS OF SALARY.

ANNEXURE No. I.

Note on rates of pay drawn by officers holding posts in the Indian Civil Service Cadre.

The information regarding the rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of

Service Caire and the grading of each class of post as given in the two statements contained in Appendix VIII to the interrogatories is correct so far as the Bombay Presidency is concerned, subject to the following remarks:—

(1) The pay of the Deputy Commissioner,

Upper Sind Frontier, is Rs. 1,200 plus local allowance Rs. 300, and not pay Rs. 1,500 as shown in the statement.

(2) Out of the 18 appointments of District Judge, 3 appointments have been relisted as open to the members of the Provincial Civil Service.

(3) Out of the 29 appointments of Collectors and Deputy Commissioners shown in the statement, 2 appointments have been listed as open to members of the Provincial Civil Service.

(4) Out of the 2 Miscellaneous appointments on Rs. 1,100, one (Tālakādrī Settlement) Officer) is listed as open to the Provincial Civil Service and the pay of the appointment when held by such an officer is Rs. 800 only.

(5) Proposals have been submitted for the creation of five appointments of First Grade Assistant Collectors on Rs. 1,200.

(6) The number of appointments of District

\*The total number of and Sessions Judges on
District and Sessions Re. 1,800 should be inJudges should also creased from 9 to 10, the
to 12. Increase being due to the

to 18. "Civilian District Judge for the Linkthon District. In consequence of the increase the fire appointments which do not carry fixed pay and the salary of which depends on the position of their holders should be reduced to four, as it has been decided that there should be only one appointment of Superintendent of Land Records and Registration instead of two sub-appointments included in the five appointments over a forested to. These changes also necessitate corresponding changes in the Statement DD in Appondur VIII to the interrogation; set, the Bappointments of District and Sessions Judges should be changed to 19, and the number of appointments or 19, and the number of appointments are Res. 2,500 should be altered from 2 to 19, the percentage in respect of the 9 appointments on 474 and that in respect of the 9 appointments and 48, 2,500 and over being changed from 50 to 474 and that in respect of the remaining 10 appointments being changed from 50 to 50.

- , ANNEXURE No. II.

The fabt below show the rates of may and the number of posts in each of the sain grains of the Judian Chall Bervice as authorized on the The fabt below all 1919.

(9f)

	Remarks	AInclude the appointments held by statefory evillans and temporar of the Trevincial Territories of appointments in-changes of appointments in-changes of appointments in-changes of appointments in the properties of the properties of the include the properties of the include the in	C-fredudes 2 do, 60.	If skid by a Milliney Officer.			
1012-	Rate of par.	3,500 3,500 3,000 1,500 1,100	200 - 450 -	3,026 1,000 1,730 3,175 3,000 3,000 3,000	1,200	1,200 1,200 1,200 1,200 1,200 1,200	1,300
	Number of appoint- menta	11 12 12 12 12 12 12 12 12 12 12 12 12 1	28 e	11 24 HAR		deteldetel	
reco.	Bate of pay.	15.600 2,600 2,600 2,600 1,830	700 490—470—500 4,000 3,500 3,895	1,000 1,000		17/1	0011
	Number of appoint- ments.	11	: Egn= a	\$\$ nnn	111	, III	f 111
1890.	Rate of pay.	28,200 28,500 28,500 28,500 20,000 20	100-450-300 3,776 3,576 2,576	1,000 1,000 1,110 3,760 1,200	125 2888 125 2888	1,700	<sup>[2</sup>
	Namber of appoint- ments.	11	Bon a	2021 HARA	enen Henne	111	
1890.	Bate of pay.	2000 2000 2000 2000 2000 2000 2000 200	700 3,780 2,893-54 3,398	08.11.80.9. 08.21.80.9. 08.21.80.9.	7,000 1,000	1,700	
	Number of appoint- ments.	*	1 1124 a	-	नाग लक	HIII	
1870.	fiate of pay.	3,500 3,500 1,637,5 5 2,500 2,500 600	500-450-5:0 3,750 2,035-6-4 3,350-6-4	2,000 1,500	1 25 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	3,000	1,200
	Number of approjec- ments.	. i . i . i	. : 18*+ a	o		1111	111
3960,	Rate of pay.	3,500 3,500 1,333-0 4	400-450-300 8,500	(1) 2,345-5-4 2,000 1,300 2,335-6-4 2,316-10-8	2,283.45.5 1,280.6.2 1,280.6.2		2,1,000 5000 5000 5000 5000 5000 5000 500
	Number optoint- ments.	n gr -rg	. !! #8e %	F 07F	nika k		. 0140
			177311	1111111	III EIII		1111
	Names of appointments.	Control inforce 2 and Grade	2nd Assistants	Do. 3nd Grado Joint Judge Sector Assistant Judge Sector Assistant Judge Encrotary to Government Bereclary to Government	, d 11 <sup>2</sup> 11 1	car contler	

### ANNEXURES TO CHAPTER XI.

Conditions of Leave.

ANNEXURE No. I.

Containing information relative to the amount of leave taken by members of the Indian Civil Service.

The following statistics given by the Accountaut-General show the percentage of officers on different kinds of leave on the 1st April of each of the years 1892, 1897, 1902, 1907 and 1912:—

Kind of leave,	1892, 1897.		1901.	1017.	1912,	
Privilege leave	2765	WE	19	141	Mil.	
Purlough and special leave	986	465	1998	1318	1975	
Furlough to medical certificate	\$25 5	250	17.5	272	\$\$j	

The change in the leave rules made in 1901, whereby privilege leave could be combined with other kinds of leave, explains the decline in the amount of privilege leave taken by itself. Owing to the unfavourable monsoon of 1896 Government were constrained, in the month of November of that year, to suspend the grant of leave to officers
of the Indian Civil Service and the Medical. Forest, Police and Public Works Departments, unless the officer applying for leave could satisfactorily show that he urgently required leave for the benefit of his health. restriction with some partial modifications continued throughout the year 1897 and accounts for the small amount of leave enjoyed that year. The other variations are not important. It is difficult to give a satisfactory explanation of the causes of fluctuations. The strength of the Indian Civil Service has been fixed on the assumption that out of 194-5 officers 40 will, on an average, be on leave.

2. The rule permitting the combination of privilege leave on full pay with other kinds of leave (Article 239 of the Civil Service Regulations) which came into force in 1901 has enabled officers to enjoy nearly the whole of the privilege

leave on full pay due to them.

3. The everage amount of furlough ordinarily taken by officers of the Indian Civil Service is 60 per cent. of the leave due to them under the rules. Administrative requirements and the restrictions imposed by Article 300 of the Civil Service Regulations are some of the reasons for officers not awaiting themselves of the whole of the furlough due to them.

#### ANNEXURE No. II.

Prévis of correspondence regarding leave regulations,

The question of reducing the number of transfers of officers from charge of one district to another came under the consideration of Lord Rigor's Government and the Secretary of State in the year 1889-S1. It was at one time asserted that the change in the farricopt, "tules of 1888, whenevery officers absent on leave retain a lieu on their appointments, and resulted in a largely increased number of acting appointments and in frequent transfers of changes in the personal of the administrative stell to the determent of the major public interests. The Government of Intia major.

au enquiry from the Local Governments and administrations as to whether the change in the rules had caused practical inconvenience. The replies to this enquiry disclosed a very general opinion among the local authorities that the supposed effect of the rule in question had been much exaggerated and misunderstood, and that the statistics from the different provinces did not when carefully analysed, justify the withdrawal of the rule whereby an officer on furlough retains of the rine whereby an older on introduct results a lien on his substantive appointment of like character and not less pay. Lord Ripon's Government were nevertheless of opinion that changes among the administrative, and especially among the district, staff had been too frequent in some provinces. This result appeared to be in some measure due to the Local Governments being too ready to defer to the personal wishes and inclinations of officers returning from leave. The Government of India therefore directed that, unless some special circumstances rendered it desirable to replace an acting officer by a returning incombent, an officer in the regular line of district administration should on return from furlough be posted to such actually vacant office as might be suited to his rank and pay, and that, in determining where he should be posted, the only consideration which should be allowed to weigh should be the question how his services could best be utilized with the least possible disturbance of existing arrangements. The Local Governments were also directed to pay more attention to regulating the time of an officer's return to duty with reference to the convenience of the public service. In 1899 the question of adopting measures for reducing the number of transfers and changes in district and other charges again came under the consideration of the Government of India. To remedy the evil that Government made, inter alia, the following suggestions and invited the opinion of the Local Governments thereon, in Home Department letter No. 2137-46, dated 19th September 1899 :-

(1) that the accumulation of privilege leave should be allowed as hitherto one mouth a year up to three montias but that this accumulated leave should not be recknowl as privilege leave; and that the only effect of accumulation should be to enable an officer to receive full pay for the first three mouths of a period of not less than six months' furlough or special leave; and

(2) that the maximum period of furlough (other than on medical certificate), which may be taken at one time, be reduced from two years to eighteen months.

This communication was followed by one dated 27th March 1900 in which the Government of India made the following observations:—

"All are agreed as to the existence and gravity of the original which the proposal contained in the Horse Dipartment letter of Suptember 19th were designed to remove. It is not sent in the case of posts held by mombers of the Indian Civil berries and the Commissions in one-Regulation Provinces, but it creits in a greater evies degree in all departments and la services of Courselland in Course and a service of Courselland in Courselland i

whenever possible, by another officer at the same station, have contributed to intensify the evil. but the Government of India entertained no doubt that one of the most fruitful causes of frequent changes and transfers is the practice of taking three months' privilege leave followed, after an interval of three to six months, by furlough."

In this communication the Government of India withdraw the second suggestion made in their letter of 19th September 1899 on the ground that an absence of 18 months would not enable an officer to escape two hot weathers and rains in the plains, that the maximum did not appear to have been frequently taken, while its curtailment would inflict appreciable hardship in individual instances, particularly in the case of an officer who, having completed the period of active service required of him, might desire to complete his total service by taking leave out of India for two years. As regards the first suggestion made in that letter, vis., that relating to accumulation of privilege leave, the Government of India accepted the objections which were urged by many Local Governments, vis., (a) that under the changed conditions of life in India it was decidedly becoming more and more difficult for an officer to take furlough, especially in the less highly paid services, so that accumulated privilege leave afforded to many almost the only means of visiting England, or of mitigating the length of those family separations which were perhaps the hardest feature of Indian service, and which, even in the best paid services, would be unduly prolonged if the accumulation of privilege leave were to be forbidden, and (b) that to attach to it the condition that it must he accompanied by a substantial period of leave on half pay would in many cases amount to its virtual prohibition. The Government of India therefore decided to keep the rule regarding the accumulation of privilege leave intact observed that the rule requiring an interval of three months' service between the end of privilege leave and the beginning of long leave should be so medified as to obviate temporary arrangements for short periods. The object aimed at was the prevention of the practice of taking privilege leave and furlough separately without the interposition of a sufficient interval. It was observed that when officers took accumulated privilege leave, a substantial period of service should be required after their return to duty before they were permitted to proceed on ordinary furlough. The Government of India accordingly recommended-

(i) that privilege leave should be allowed to accumulate and to be taken as privilege leave either (a) by itself or (b) combined as privilege leave with furlough, leave on medical certificate, special leave, leave on preent private affairs and extraordinary leave :

(ii) that when accumulated privilege leave of over six weeks in duration is taken by itself, an interval of 18 months should elapse between the return to duty and the departure on ordinary farlough;

(iii) that the restriction defined in (ii) should not apply to leave on medical certificate, special leave, leave on urgent private affairs or extraordinary leave

(iv) that when privilege leave is combined with furlough, the amount of combined leave should not be for more than two years;

(v) that when privilege leave is combined. with special leave, the combined leave should not be for more than six months;

(vi) that when privilege leave is combined with any other leave, the combined leave should not be for less than six months.

The rules proposed by the Government of India were approved by the Secretary of State. At the same time the Government of India enjoined a stricter observance of the rule requiring the appointment of an officer serving in the same district to officiate in a vacancy caused by the departure of an officer on privilege leave of not more than six weeks. In the year 1908 the matter came again under the notice of the Decentralization Commission. In their report the Commission made the following observations on the subject :-

"We received overwhelming evidence as to the frequency with which officers of Government are transferred from one appointment to another, and as regards the mischievous effects of such transfers, Collectors, for instance, are often moved before they can have gained any but a most elementary acquaintance with their districts, and the fact that officers follow one another in rapid succession most necessarily throw power into the hands of office clerks and subordinates. Further, it is impossible to expect that free communication will exist between Government officers and the people in their districts when they do not get time to become acquainted with one another. When, too, as is often the case, different languages are spoken in different parts of the same province, it is most unlikely that an officer frequently transferred can obtain full proficiency in any of the local vernaculars, and a further barrier is thus placed between him and the great mass of the population."

Among the causes which the Commission noted as leading to these transfers were (a) the grant of leave and (b) the weight given to seniority in filling up officiating appointments. The following recommendations were accordingly made :

(i) the removal of the restrictions in Articles 232 to 236 on combination of different kinds of

(ii) the removal of the restrictions in Article 308 on the grant, otherwise than on medical

cortificate, of furlough carned by an officer;
(iii) the introduction of a 'leave-ledger' system under which all leave earned by an officer under the general rules would be entered to his credit in his 'leave-ledger,' and he would be allowed to draw upon such credit at any time at which it was convenient to the Government to spare his services.

The Commission also suggested that it might be considered whether periods of furlough which are usually on half-pay might not be commutable with advantage to the publice service to shorter leave of absence on higher remuneration

The Government of India, while communicat-ing these recommendations of the Commission and inviting the opinions of Local Governments thereon, remarked that the conclusion which they had arrived at in the matter, subject to medification with reference to the advice of the Local Governments, was that the restrictions on the grant and combination of leave imposed in Articles 232 to 236, 260, 271 to 277 and 308 of the Civil Service Regulations were primarily administrative, and that, if in the opinion of the Local Governments there was no objection from the standpoint of administrative expediency to a removal of those restrictions, it would be desirable to do so and to frame a simple set of leave rules on the following basis:-

(1) The existing rules as to the amount of rivilege leave and furlough 'earned' and due, and the maximum amount of leave which can be taken at a time or throughout an officer's service, should remain unchanged,

(2) Privilege leave (or vacation) and furlough due should be allowed to be combined

without any restrictions.
(3) All leave, whether privilege or furlough, should be granted at the discretion of the Local Government subject to -

(a) the paramount claim of the public service, and

(b) the condition that the total number of officers absent at any time on leave of any description granted otherwise than on medical certificate shall not exceed a proportion to be fixed by the Government of India for 'Imperial Services,' and by the Local Government, subject to the approval of the Government of India, for other services.

(4) Special leave should disappear as a rule. It is under present rules merely furlough taken under specially argent conditions which justify the relaxation of the restrictions upon

the taking of leave which the present rules impose. With the abolition of these restrictions, its principle rausen a tere disappears and it will be sufficient to provide that once in his service an officer may be given furlough not exceeding six months although (a) it is not due and (b) the proportion of men on

leave may be thereby exceeded. (5) Subsidiary leave should be abolished. It is really an anachronism, being a survival from the days when moving from place to place in India was a far more difficult under-taking then it now is. The concession of combining privilege leave with furlough under certain conditions has already reduced the demand for it, and the demand will be further lessoned on the removal of the restrictions which now limit the combination of privilege leave and furlough. Its total abolition, except in cases where it is given to an officer preparatory to retirement, is not therefore likely to cause any serious hardship, and any resultant disadvantage will in all probability be more than counterbalanced by the gain in convenience arising from the withdrawal of the troublesome restrictions mentioned above.

These proposals are now under the consideration of the Government of Bombay,

### APPENDIX II.

### Memorandum on the Bombay Provincial Civil Service prepared for the Royal Commission by the Government of Bombay.

### TABLE OF CONTENTS.

### Executive Branch and General.

		CHAPTER	l.			
		,		٠.,		PAGE
ntroductory	***	•••		. "	. <b></b>	468
		CHAPTER	II.			1
Methods of Recruitmen	nt		***	,		463
		CHAPTER	III.	· .		- "
Systems of Training a	ad Probation	415	, <b></b>			464
		CHAPTER	IV.			,
Conditions of Service	***			•		464
		CHAPTE	R V.			
Conditions of Salary,	Leave and Pen	ision	***		444	465
		PART	II.			
			₹ .			
	J	Iudicial B	ranch.			
		CHAPTE	R I.	•	- 4	
Methods of Recruitme	nt'	***		*** *	***	46
		CHAPTE	R·II.			
Training and Probation	)ll •••	***		•••		46
		CHAPTE	R III.			
Conditions of Service	•					46
		СНАРТЕ	R IV.			
Conditions of Salary,	Leave and Per	nsion	•••	•••		461
	AN	EXURES	TO PART I			
Annexure to Chapter	п	•••	***	***	•••	46
Annexures to Chapte	r∀	***			<del>.</del>	46

Memorandum on the Bombay Provincial Civil Services prepared for the Royal Commission by the Government of Bombay.

#### PART L

### Executive Branch and General.

#### CHAPTER I .- INTRODUCTORY.

A descriptive Memorandum\* has been laid before the Royal Commission containing a compendium of all important information relating to the Bombay Provincial Civil Service. The following observations are intended to supplement this Memorandum in cases where the information desired by the Commission is not therein provided in a readily accessible form, and in other cases to furnish references to the relevant passages. The first part of the present Memorandum deals with the Executive branch, the second part with the Judicial branch in so far as the latter requires separate treatment. Matters of common applicability to both branches will be dealt with in the first part, and statements which are not specifically or by the context restricted to the Executive branch should be construed as applying to both.

### CHAPTER II.—METHODS OF RECEDITMENT.

 The Government of Bombay have already expressed their approval

of existing methods of recruiting Indians for the Civil Services subject to certain reservations. These reservations refer to the practicability of improving the facilities now open to Indian candidates not merely to enter the Indian Civil Service by open competition but, by a more complete initiation into the principles underlying British institutions and British conceptions of public duty, to prepare themselves to satisfy the most exacting standards of administrative caracity. It is, however, recognized that the admission of Indians by competitive examination to the Indian Civil Service cannot, as Lord Kimberley pointed out in 1885, be regarded as the primary method of recruiting Indians for the public service. The Indian Civil Service occupies a peculiar and restricted place with peculiar and restricted functions in the vast field of general administration which is otherwise, and in respect of by far the greater number of posts, not only free to but practically reserved for Indians. Recruitment for this service must be regulated by very special considerations, and these have been dealt with in another place. 2. For the other and more numerous posts

in the general administration recruitment must necessarily, with the rarest exceptions, be made in India. The system designed to meet these requirements, which is based upon the measures recommended by the Public Service Commission of 1887, has substantially vindicated the wisdom and liberality of these measures. Some adjustments in detail have been found necessary; but the organization then conceived has been realized in its essentials, and has stood the test of time and experience. It can be legitimately claimed for the principles on which the Provincial Civil Service has been evolved that they have produced

a body of officers of a high degree of merit and efficiency; that they permit of an ample measure of development and expansion in response to progressive conditions, and that they hold open to men of education an eminently useful and honourable career with opportunities of attaining to high distinction,
3. The principles which have produced these

results require no vindication, and the advocates of any radical changes undertake a grave responsibility. One important question of principle, however, the Commission left open for settlement in accordance with the results of experience and with local requirements and conditions. This was the question as to the precise manner in which the various expedients for recruitment, vis., promotion, nomination and competition, should be resorted to. This question can now be reviewed in the light of a considerable body of experience.

4. In the Memorandum dealing with the Indian Civil Service, competition as a means of recruitment in India has already been discussed. The principles enunciated in the famous despatch of the Duke of Argyll have been cited, and it has been pointed out that these principles have been in a singular degree verified by experience. The arguments against competition need not be elaborately reproduced here. It will be sufficient to summarise the more importants conclusions, which are three in

(1) A purely educational test is unsatisfactory in India because, among the general body of candidates the antecedent presumptions as to character and conduct, based upon tradition, training and environment, which the system relies upon in England, cannot be made here.
(2) As the recruitment of Indians is 42

hypothess in question, the danger of the monopoly of office by a disproportionate number of particular communities cannot, under a purely competitive system, be adequately guarded against.

(3) Lastly, the fact that a purely educational

test has been tried and has been almost universally abandoned is conclusive against its success as a practical measure. As regards the alternative of a system of

combined. nomination and competition, it was found that the competitive element tended merely to reproduce the results of university examinations and that it was simpler and more convenient to accept these results thomselves as a basis for nomination

These are, in brief, the grounds on which this Government accepts the existing conditions of the organization and recruitment of the Pro-vincial Civil Service as being sound in principle and justified by experience. The rules applying these principles in detail which are in force in this Presidency will be found in the descriptive Memorandum on the Bombay Provincial Civil Service referred to above (vide pages 470 to 502). They were adopted in 1912 and represent the most recent views of this Government on the subject

6. The recently adopted rules make provision for the appointment of Europeans who are not statutory Natives of India. Such cases, for obvious reasons, must be exceedingly rare. No appointments to the Provincial Civil Service of British subjects other than natives of India have

Printed at 19. 470 et seg port. † N. B.—The figures in the margin refer to the numbers of the interregatories drawn up by the Reyal Commission which are dealt with in the text or annexares.

been made in this Presidency. A single appointment of a non-resident of the Bombay Presidency has been made in the case of Sahibzada Sarder

has been made in the case of Schibzdia Sardér Muhamugal Khan of Tonk in Rajpatdan. Such cases also will be exceptional, but the conditions, for example, of the predominantly Musalmán Province of Sind, where the Musalmán population is still educationally backward, may render such a transference constantly necessary in the absence of eligible local endidates.

7. The statements B and C at page 468
show the distribution of posts in the Provinial Civil Service among the various com-

cial Civil Service among the various com-munities. It is evident that the distribution is not equable having regard to the numerical proportion of communities. So long as marked disparities in the general standard of educational attainments of the several communities exist, it is impossible to attain to anything like equality of distribution. Nor, indeed, can any such claim be reasonably advanced by any community. Claims to appointment can rest only on one basis, individual merit. A civil service is not a representative institution but simply an instrument of government, and the reasons which render it undesirable that office should become the monopoly of any particular section are primarily administrative reasons, contemplating the efficiency of the service and good government; they are not political reasons, having reference to any supposed claims to employment on other grounds than personal fitness. There are other considerations, but the main object of securing a due admixture of castes must be kept steadily in view. The representation of all classes and communities is not practicable in the present comminuted state of Indian society, nor is it an object which in itself merits any special solicitude. Iudeed, it would be impossible, or at least most undesirable, for a considerable time to come, to contemplate the employment of the lowest castes in the higher and more responsible posts. A great change in social conditions must precede any such action. On the other hand, the employment of members of different communities may increase public confidence in the impartiality of the administration, and this is implied in the term good government. This object is more likely to be secured by a due admixture of castes than by the vain endeavour admixture of causes man by the wan endeaver to provide for the representation of every caste and section of the community. It is also true a famulai, tractions of the public service provide a famulai, backward communities, and, from this point way, such measure of enquirements.

a simulativament our see points service provine a simulativament our see points artists, point backward communities, and, from this point backward communities, and, from this point points and the season of encouragement is accordant to the season of the

in the present conditions of the country, to secure all these objects than the existing combination of promotion and nomination,

> Chapter III.—Systems of Training and Probation.

8. The system of training and probation.

(9) 3. adopted for offices of the Provincial Girli Service, Executive branch, Uppen Division, is founded on the lines prescribed in Nos. VI and XVIII of the revised rules for adulation to, and promotion in, the Bombay Tervincial Girli Service published in Government Notification\* No. 1112, dated 2ad Pelevanty 1912. Similar information regarding Mainlatidate is contained in Nos. 6 to 9 and 13 of the rulest published in Government Notification No. 6076, dated 4th August 1919. Solh sets of rules were recently revised and published and no changes seem called for in them. A copy of these rules is

supplied for reference, 9. Caudidates appointed by selection or nomination to the Executive branch of the Provincial Civil Service, Upper Division, are required to pass the tests prescribed for junior members of the Indian Civil Service, viz., the Lower and Higher Standard Departmental Examinations, including an examination in the language of the district to which they are posted. In any case in which the veroacular of the district to which the candidates are appointed is their own language they are not required to pass in that vernacular. The required to pass in that vernacular. The standard of Departmental Examinations is laid down in paragraphs 13 to 16 of section I, Chapter I, of the Revised Compilation of Rules relating to the examinations of Assistant Collectors and other officers. Persons promoted to the grade of Deputy Collector from the rank of Mamlatdate are not required to pass any other departmental test on their promotion. Until quite recently they passed the Lower and Higher Standard Departmenal Examinations before appointment to the post of Mamlatdar. Under the rulest issued in Government Resolution No. 6970, dated 4th August 1910, the qualifying examination has taken the place of the old Lower and Higher Standard Departmental Examinations and no member of the subordinate revenue service appointed under those rules can be appointed a Maulattar until that examination is passed. The standard of the qualifying examination is laid down in No. 6 of the rules in Chapter VI of the Revised Compiletion referred to above. As the qualifying examination was recently introduced it is too early to consider whether any changes are пассавату.

### CHAPTER IV .- CONDITIONS OF SERVICE.

10. The constitution of the Executive branch
(Upper Division) of the
Bombay Provincial Civil
Service is described in paragraphs 18 and 17 of
Chapter I, Part I, of the descriptive Memorandum

†The rules will be found in Chapter YI of the Ravised Compilation of Rules relating to the examinations of Assistant Collectors and others.

Printed as an accompaniment to the descriptive blemorandom on the Provincial Civil Service (Executive branch), pages 493 to 497.

on this service, to which reference is invited. The principles regulating (12, 13, 14, 15) the strength of the cadre and the rate of recruitment are dealt with in paragraphs 18 and 25 ibid. There is no reserve for leave and training. The former is practically supplied by the Lower Division of the Provincial Service. A training reserve is not necessary in the case of promoted Mamlatdars, who are already sufficiently experienced administrative matters to assume immediate charge of their duties as Deputy Collectors. Special arrangements are made in the case of probationers appointed direct by excluding them from the permanent cadro pending completion of their term of probation. The system is satisfactory and the appointment of Mamlatdars to officiate in leave vacancies furnishes a valuable test of fitness for permanent appointment to these higher and more responsible functions. It also attracts to the subordinate service a superior class of candidates by offering prospects of promotion to the Provincial Civil Service to

11. Promotion to appointments the salary of which is less than 0.6 Rs. 500 per measure is ordinarily given according to saniority, subject to fitness and approved conduct. Promotion to appointments of which the salary is Rs. 500 a nouth and upwards is based solely on fitness and ment; seniority being regarded only when the delains of two or more candidates of equal fitness and ment to one into composition. There is no many contractions of the contraction of the contraction of the contraction of the contraction.

men of proved merit and ability.

its no provision for the compulsory retirement of inefficient officers, but in such cases promotion can be stopped, and it is open to Government to call upon such officers to retire, if they have carried their pension, and to reduce them to a lower grade if they decline to do so. The pressors made regarding a system of reduced positions in cases where pensions have not been fully earned with reference to officers of the Indian Civil Service (ride Ollapter XII, paragraph 34) apply with equal force to the case of the Provincial Civil Service.

12. The observations made in Chapter IX of

the General Memorandum on the Indian Civil Service with regard to the separation of the Judicial and Executive functions apply equally to the officers of both branches of the Provincial Civil Service who hold listed posts. As regards officers belonging to the lower ranks of the service, viz., Deputy Collectors, Mámbatdárs and Sub-Judges, the separation is complete so far as civil matters are concerned, except that Mamlatdays exercise jurisdiction in possessory suits as stated in reply to question (88) relating to the Indian Civil Service. Subordinate Judges have no executive functions. District Deputy Collectors exercise the same functions as Assistant Collectors of the Indian Civil Service. They are both Magistrates and revenue officers but have no direct connection with the district police. Huzur Deputy Collectors are responsible for the working of the husur treasuries and are, in two districts, ex officio superintendents of subsidiary jails. As a rule they have no other executive work. They are usually, but not in all cases, Magistrates. Mandatdars exercise magisterial powers and, in their tálukás, perform the execu-tivo duties enumerated in the answer to question (88) pertaining to the Indian Civil Service. In Sind and in some districts of the Presidency, resident Magistrates of the Provincial Civil Service have been appointed, who have no executive duties. The Government of Bombay are convinced that no change is desirable.

IS. The system of listed posts and the arrangements in force (19 & 20) with regard to inferior listed posts have already been dealt with in the Memorandom on the Indian Civil Service.

14. The designation of the Provincial Civil (21) Service appears to this Government to be appropriate and free from objection. It was authorized after an exhaustive discussion, and there appears to be no grounds either for attributing to it any derogatory significance or for supposing that such a view is entertained to any appreciable extent either by the officers concerned or by the public. If, however, any change is deemed desirable, the most convenient substitute would be the usue of the Presidency or province concerned. In the Bombay Presidency the service might appropriately be styled the Bombay Ovil Service. These would be no objection to scale a change.

#### CHAPTER V.—CONDITIONS OF SALARY, LEAVE AND PENSION,

15. For the reasons which are stated in Cirplete X of the Memorandum on the Indian Ciril Service, the Government of Dombey are not propared to deal in detail with these subjects. Information as to the present rates of salary, leave rules and pension regulations will be found in the descriptive Memorandum on the Provincial Civil Service. Other information desired in connection with these subjects will be found in the annearest to this chapter.

### PART II.

### Judicial Branch.

Chapter I.—Methods of Recruitment.

1. There has been no change in the methods. U.5,4 & 60 fer recruitment to the form of the Provincial Civil Service which has always been by selection from amongst qualified candidates. The rules' give effect to the general directions contained in Government of India Resolution Ko, 1046-1059, dated the 19th Angest 1919. The circustonia requirements are fixed by section 227 of the Bombay Civil Courts Act of 1869, so far as the Presidency proper is concerned, and by rules franced by the Judicial Commissioner of the presidency proper is concerned, and by rules franced by the Judicial Commissioner of the presidency proper is concerned, and by rules franced by the Judicial Commissioner of the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned, and the presidency proper is concerned.

<sup>&</sup>lt;sup>6</sup> Published in Government Netification, Bereaue Department, No. 1112, dated the Zed February 1912, printed as an acrempaniment to the descriptive Memorandum on the Provincial Civil Service (Executive branch) at pages 493 to 47.

<sup>† &</sup>quot;22. The Judges of such Submidurate Courts shall be expected by the Governor of Bombay in Council, and shall be called Subordinate Judger.

No person shall be appointed a Subordinate Judge unless he to a subject of Her Majerty or analytic of a Nativer Prince or State in Linds under the measuring of Her Majerty, and is also a person who has penational three years as an abroache of a Judge Courth in Idea or an a vall. in the II glo Court of Linds or an a real limit in the II glo Court of Linds or an a real limit in the II glo Court of Linds or an a real limit in the II glo Court of Subordinate Judge occuping to such tests as may for the time bulg by brearried help seem High Court, or who has taken the degree of Bucheler of Laws in the University of Rombay."

Sindi for that province. The Government of Boutay have no suggestions to make for any radical change in the general conditions and rules, nor are they in any way dissatisfied with the judical officers recruited under them. They consider that for appointments of judicial officers the system of selection is good.

2. No natural-born subjects of His Majesty

other than Natives of India have ever been appointed as Assistant Judges or as Sub-Judges. The appointments of candidates born in other

provinces have been very rare: in 1886 there was one such officer and at present there are only four. The representation of the various classes and communities is shown in the following

Nationality.

Year,	Total num- ber.	Enzo- prans and Eurosians not domiciled.	ned Dayroiaye.	Hindas.	Aleko- medaos.	Pátsla.	Others.	
							_	
1883	117	'	3	107	1	6	-	
1913	127*	-	-	114	4	7	2	
	ŀ			]				

\* There are five upcareles in the last grade of Sub-Judge. Acting offices have not been taken into second.

According to Caste.

Year.	Brähmen in luffrg Sheavis).	Keba- trijás,	Hirts- tha Pra- bbus.	Baniyás and Valet- yás,	Shudras	Oihten,	Total
1695		11	•	13 10	1	21 (of thom 14 are Sindbist,	16 13

### CHAPTER II.—TRAINING AND PROBATION.

2. There is no system of training for the (2, 10) Judicial branch of the Provincial Civil Service. Sub-Judges are required to serve for two years on probation before being confirmed in their appointments.

### CHAPTER III.—CONDITIONS OF SERVICE.

4. The classes of appointments included in the Judicial branch of the Provincial Civil Service are the following:—

District Judgeships;
Assistant Judgeships;
Subordinate Judgeships;
No changes appear necessary.

3. The number of Subordinate Judges is

(0.2.13,14.4.10) regulated solely by the
number of courts required for administrative reasons. There is no
leave or training reserve. Appointments, either
officiating or permanent, are made to fill
reasonics due to leave or retirement from the
list of quelified candidates.

6. Selection is rigidly enforced for promotion to the grades above Rs. 500. The appoint-

ments are made by Government after consultation with the High Court, and this practice ensures the supersession of any officers who are unfit to exercise the powers of First Class Sub-Judges, The Government of Bombay are satisfied that

the interests of the administration and of the individual are duly reconciled.

7. In the Judicial department the listed inferior posts are not merged in the Provincial Civil Service as they have been in the Revenue department. Judges and Assistant Judges of the Provincial Civil Service are borne on the lists of Indian Civil Service Judges and Assistant Collectors and not on the lists of Sub-Judges. It has not been considered necessary to reserve for officers of the Provincial Civil Service appointed as Judges or Assistant Judges appointments in any particular grades but they rise pari passu with their contemporaries in the Indian Civil Service and traverse all grades in turn, but not more than two of the three Assistant Judges can be placed in the grade on Rs. 600 at one time. The question of excluding the appointments of Provincial Civil Service Assistant Judges from the lists of Assistant Collectors and including them amongst the appointments of Sub-Judges was considered by the Government of Bombay in 1909, but the change was not approved. The duties and powers of an Assistant Judge, who is also an Assistant Sessions Judge, and, after a short probation, a court of civil appeal, even from the decision of Sub-Judges of the First Class, are almost identical with those of a District and Sessions Judge, and unquestionably more responsible and greater than those of a Sub-Judge. The judicial listed posts can be differentiated from those of the Revenue department, which have been included amongst the appointments of Deputy Collectors, for the duties and powers of an Assistant Collector are the same as those of a Deputy

Collector. 8. The Government of Bombay are, however, of opinion that the posts of Judges and Assistant Judges held by officers of the Provincial Civil Service should be placed on one list, separate both from the lists of Judges and Assistant Collectors of the Indian Civil Service and from the list of Sub-Judges. They con-sider that the retention of these officers on the Indian Civil Service list, on the ground that they are entitled to promotion part passu with their contemporaries of the Indian Civil Service, is unsound, since they are appointed under different conditions, which make any comparison of age and service fallacious. chance of a provincial judgeship falling vacant may give promotion to a Provincial officer of 10 years' service over the heads of officers of more service and experience, as has actually happened, or vice versa. Such promotions when they occur occasion much discontent, and this would be obviated by the separation of the two services,

### CHAPTER IV.—Conditions of Salary, Leave and Pension.

 Full information regarding the rates of pay and the number of posts has been given in paragraph 3, Part II (Judicial branch) of the descriptive Memorandum on the Provincial Civil Service. As has been stated therein, a vertican of the grades of Sub-Judges is about to be introduced, and the Government of Bombay consider that the pay when revised will be adequate to attract men of the right stamp. As regards higher appointments, they see no reason to suppose that by increasing the pay of the listed posts more able officers will be obtained. The introduction of time scales has never as yet

descriptive Memorandum on the Provincial Civil been considered for the Judicial department, and Service. As has been stated therein, a revision they are not prepared to say that this would be

are not prepared to say time this would be an improvement on the present system.

10. The rules regarding leave and pensions are not peculiar to the Judicial branch of the Provincial Office Service, except that judicial officers in common with all officers who enjoy vacations are not allowed privilege leave on full pay.

### ANNEXURES TO PART I. (EXECUTIVE BRANCH AND GENERAL)

#### ANNEXURE TO CHAPTER II.

References to relevant passages in the descriptive Memorandum on the Bombay Provincial Civil Service. (Page 470 et seq. post.)

(2) Rules of recruitment, pages 493 to 497.

Present constitution of the Provincial Civil Service, paragraph 17,

page 474.

(4) Systems of recruitment, paragraphs 20—21, pages 474 to 476.
(4,7 and 8) Statements illustrating results of recruitment (ende pages 481 and 482).

#### ANNEXURES TO CHAPTER V.

### STATEMENT A.

Approximate statement showing the rates of pay and the number of posts in each of the main

16	t April 1890.	1st Ap	rii 1900.	let Ap	il 1912.	
Names of appalatorents.  No. spy mean co	not- is in appoint-	No. of appeint- ments in ench grade.	Rate of pay of appaint- greats,	No. of apprint- roughs in each grade.	Rate of gay of appoint- monts.	Remarks,
	Hs.		Ra.		Ro.	
to Collectors		) sp	( 1,600	} 2A	(1,601	A.—Held by statutory civilings.
ice Collectors		1	1,200	**	(1,300	DOnly one of these was held
riet Judgee, 1st Grade	.	(b	1,600	h I	ſ 1,610	by a statutory divilian and the other was vacant.
Do. 2nd Grade		24	1,500	32	1,600	PTwo posts have been filled
Do. 2rd Grado		1	1,000	!	1,200	up substantively and the
nejstani Callectors		) 2E	( 630	1 .	( 000	EFire oppointments incled
Amistant Collectors	A 418	F **.	\$ 500	, 3	E 500	one those three were held by
siant Califortors (Supernumarary)	74 S(3)	-				
stant Collector on probation	A 200					ļ
ataut Julges		2	300			!
obdicil Settlement Officer	.	1	500	1	600 C	CNow held by an L.C.B.
ntş Dollostore, 1st Grade (italizding Sind) ]	800	1	801	2	800	officet,
Dis. 2nd Grade 3	200	3	700	3	7(0	!
Do. Sed Grade	500	4	610	7	860	1
Do. 41h Grade 10	500	17	500	23	509	
Do, 8th Grade 17	400	19	103	21	600	
Do, 6th Grade 21	850	28	830	23	800	
lan Sab-Judges (including Sind), let Grade :	800	3	890		876	
Do, do. 2118 Gryde ,	650	4	630	5	630	
Do, ds, Std Grafo	(61	9	500	n	500	
Class Sub-Judges (including Sind), let Grade 2	400	20	400	21	403	
Do, do. 2nd Grade 3	500	25	\$30	27	300	ŀ
Do., do., 3rd Grade 61	290	41	200	40	230	
Do. do, dit Grade 11	190	16	150	15	150	
aftar, High Court (Appellate Side) Xi	L NU.	1	1,200	Nil,	Xd,	
elatdina, lat Grade a 22	230	23	230	29	250	
Do. 2nd Grade 31	20.1	31	200	34	223	
De. 3rd Grade 45	178	47	175	20	200	
Do. 40:9mdo 51	150	10	150	42	125	
Do. Bith Grade				50	130	

### STATEMENT B.

Containing information as to the amount of leave taken by officers of the Provincial Civil Service.

The following statement shows approximately
the percentage of officers
in the Upper Division of

the Provincial Executive Service on different kinds of leave on 1st April 1892, 1897, 1902, 1907 and 1912:—

					. —	
Kind of leave,	1892.	1517,	1902.	1907.	1919.	
Privilege leave	87	614	943	bA	η	
Furlough or feave on private	129	NiL.	285	5,5	Mi.	
Leave on modical certificate.	Mil.	ΙĄ	NI.	1,5	23	

It is difficult to estimate the causes of the fluctuations. Since the adoption in 1901 of Article 233, Civil Service Regulations, privilege leave is ordinarily taken in combination with other leave.

2: About 65 per cent, of the privilege leave on full pay one to the officers in the Upper Division of the Executive branch of the Provincial Givil Service is taken by them. Only a few officers in the Judicial branch of that service take privilege leave as, under the provisions of Articles 271 to 274 of the Givil Service Regulations, they are allowed privilege leave on argent necessity only and on half the salary they may be in receipt of at the time of proceeding on such leave.

3. About £8 per cent of the furlough date under the rules is taken by the members of the Upper Division of the Executive branch of the Provincial Civil Exercise. Officers of Indian Services cannot take furlough before putting in 10 years' service and ones they take it they are prevented from taking it again for a further period of 8 years. The revision of Indian Service Leave Rules proposed by the Government of India will probably impore matters.

#### SPATEMENT C.

#### Containing information relating to Provident Funds.

Forty per cent of the officers of the Provincial Civil Service subscribe to the General Provident Fund, time per cent, to other officially recognized funds and eleven per cent, to both the General Provident Fund and other officially recognized funds. The General Provident Fund is of recent origin and the number of subscribers is steadily increasing.

502

### APPENDIX III.

Descriptive Memorandum on the Provincial Civil Service (Executive and Judicial Branches), prepared for the Royal Commission by the Government of Bombay.

### TABLE OF CONTENTS.

### PART I

PART I,									
Executive Branch.									
CHAPTER I.									
							PAGES.		
Provincial Civil Serv	ice (Executive l	Brauch),	Upper Divisio	ita	***	***	470		
		CH	APTER IL						
Provincial Civil Serv	ice (Executive l	Branch),	Lower Divisio	on	•••	•••	477		
		I	NNEXURES.						
Statistical Statement	ŝ								
Statement A	***	***	***		***		481		
Statement B	***						481		
Statement C				***	***		481		
Statement D				•1-			482		
List of papers referre	d to in Chapter	-1							
Letter from the Government of India, No. 301, dated 14th February 1890									
Bombay Governme	nt Notification	No. 6768	, dated 23rd	August 18	92		486		
Bombay Governme				-7			487		
Correspondence wit							201		
letter No. 3863, letter No. 5818,	dated 9th June	, 1898, a	nd ending wi	th the Bo	mbay Gover	nment	490		
Bombay Governme				channa 7	 019	•••			
Domnay Coverna	and a confidence	100 7710	disect and F	contary 1	912	**-	498		
		F	PART II.						
		Judi	cial Brane	h.					
Provincial Civil Serv	ice (Judicial Br	anch)			•••		498		
		2	ENEXUES.						
Statistical Statement	Ş <del></del> -								
Statement A	***	**-	***	***	•••		501		
Statement B	***	***	***	***	***	•••	501		

Statement C

PROVINCIAL CIVIL SERVICE.

470

#### PART I.

· Executive Branch.

CHAPTER I.—(UPPER DIVISION).

Prior to the Public Service Commission of 1886-87, the officers who performed the duties which now fall to members of the Provincial Civil Services were included in what was termed the "Uncovenanted Service." In the year 1870 a Bill was introduced into Parliament which subsequently became law as the Government of India Act, 1870 (83 Vict., Cap. 8), to provide "additional holilities for the employment of natives of India, of proved merit and ability, in the Civil Service of Her Majesty in India." This Act was passed in 1870, but considerable time elapsed before effect was given to its provisions. The 6th section of the Act contemplated the framing of rules to regulate the new appointments, and in consequence of differences of opinion between the Government of India and the Secretary of State for India, these rules were not finally settled till 1875. As a result of the passing of these rules, one native official in the Bombay Presidency, Mr. Gogal Hari Deshmukh, was given a reserved judicial appointment, vis., that of Assistant Judge and Sessions Judge. In other parts of India, the rules remained practically a dead letter and the objections taken by some Governments, especially the Government of Bengal, to carrying them into effect were so serious that in 1878, the Government of India addressed the Secretary of State again on the subject. After reviewing the disadvantages, which they

considered to be grave, of the policy embodied in the Act, that Govern-\* Despatch No. 35, dated 2nd May 1878. ment submitted.\* for the

consideration and assent of the Secretary of State for India, certain proposals involving the establishment of a close native Civil Service, to which should be trans-ferred a proportion of the posts then reserved to the Covenanted Civil Service, the annual number of competitive appointments being thenceforth reduced in the same ratio, and a proportion also of the posts then held by uncovenanted officers. The appointments to the service were to be made by selection and not by competitive examination tests of qualification being supplied by a special examination and departmental tests similar to those already in force. The Government was to be at liberty to transfer to the new service, on its inception and for some years to come, a certain number of uncovenanted officers; but afterwards the service was to be strictly a graded service, with a fixed number of appointments alloited to it, to which the members of the service should have an exclusive claim. The posts, when held by members of the native service, were to be, as a rule, less highly paid than when held by Covenanted Civil Servants, but to be equal in status and position. Nominations were to be made by local Governments, but the actual appointments

were to be made by the Vicerov in Council. The † Despatch No. 125, dated Secretary of State approved † of the proposals of the Government of

India in a modified form and authorised the Government of India to appoint every year to the Civil Service of India such number of Indians as might be determined upon, and to decrease pro-portionately the number of Covenanted Civilians sent out from England, the appointments made being in the first instance probationary, so as to give ample time for testing the merit and ability of the candidates.

. 2. On receipt of this despatch, the Government of India appointed a Committee to frame draft rules for the employment of natives of India in Her Majesty's Service in accordance with the principles laid down by the Secretary of State. The rules proposed by the Committee were approved by the Government of India with

certain amendments and † Despatch No. 31, dated submitted to the Secre-

tary of State for sanction.

The rules baving been sanctioned by the Secretary of State were published in the notification of the Government of India, No. 1534, dated 22nd August 1879, and copies of them and of the Secretary of State's despatch sauctioning them were forwarded to the Local Governments and administrations,

3. Between the years 1880 and 1889 the following gentlemen were appointed in the Bombay Presidency to the Statutory Service under the provisions of the rules referred to above :-

Mr. S. P. Pestonji Not in service. ...

Mr. L. G. Deshmukh ... Mr. G. D. Panse ... \*\*

Mr. S. Nurudin Khan ... Mr. K. R. Bomanji In service. ...

'Not in service. Mr. N. B. Divatia ... Mr. Dayaram Gidumal ...

Mr. R. S. Tipnis

Mr. J. K. N. Kabraji Mr. V. R. Inamdar In service. ... Not in service. ... Mr. M. A. Baig<sup>(1)</sup>

In the year 1884, the working of the rules again became a subject of enquiry. The Govern-ment of India addressed to Local Governments

and Administrations, a § No. 19-799A., dated 80th April 1884. circular§ on the subject for the opinion of this Government generally upon the best manner of

improving the working of the rules. In reply-¶ Letter No. 6744-127, dated 12th June 1884. to this circular, ing this Government recommended that selection for

the Civil Service might be made from among the following native officials and professional men who had given proof of merit and ability :-

(1) Subordinate Judges

(2) Small Cause Court Judges,

(3) High Court Pleaders,

Presidency Magistrates,
 Deputy Collectors,

(6) Mamlatdars.

It was suggested that the following number of appointments (of which those entered under heads (i), (ii) and (v) had hitherto been reserved for the Civil Service) might be eventually granted to men so selected, on the understanding that these appointments should not necessarily and invariably be filled by Indians but only as the Local Government could find men who really came up to the definition, and the required standard of merit and ability :-

(i) One-fourth of the District Judgeships. (ii) One-fourth of the Assistant Judgeships.

(iii) All the Small Cause Court Judgeships, except the First Judgeship of the Presidency

R. Appointed to the Staintery Civil Service on the under-standing that he would be transferred to the Provincial Service when constituted.

· Small Couse Court, which should be open to barristers, European and Indian. (iv) The Second and Third Presidency Ma-

gistrateships. (v) One-fourth of the Assistant Collector-

ships of all grades.

This Government further observed that though Indians might be held eligible in their due seniority for appointments to posts of Collectors, it was not necessary to fix any proportion of those appointments for them.

5. The replies of the Local Governments to the circular of the Government of India referred to above were forwarded by that authority to the Secretary of State, who, in reply, stated that if the matter in question was to be opened up afresh there should be a local inquiry, and observed as follows :-

"I feel confident that a well-selected body of Commissioners prosecuting their investigations in various parts of India and making themselves acquainted with the opinions of all classes will not only assist materially in the solution of the questions which have arisen with regard to the operation of the Act of 1870 but will be able to collect a great deal of valuable information which will be a guide in dealing generally with the question of the more extended employment of natives of India in the service of Government." .6. A Commission was accordingly appointed\*

by the Government of 24\_-Recolution India called the " Pablic 1573-98, dated 4th October Service Commission," to 1886. inquire not only into the

system under which Natives of India were then admitted, either under the Statute 21 and 22 Vict Cap, 106, section 32, to the Covenanted Civil Service, or under the Statute 38 Vict., Cap. 3, section 6, to offices formerly reserved exclusively to mombers of that service, but to their employ-ment in all branches of the Public Service connected with the civil administration of the country. The views of the Commission as regards the statutory system were that the system as it then existed had failed to fulfil the expectations anticipated from it and that it was, for sufficiently good reasons, condemned, not only by particular sections of the native community, but also by the very large majority of officials, both European and Native, who had had practical experience of its working. The Commission accordingly recommended that the statutory system should be abolished, and that section for Statute 33 Vict., Cap. 3, should be repealed.

7. The Government of India, while forward-† Despatch No. 68, dated commission to the Secretary of State, recom-

mended that the statutory service should be no longer retained, that section 6 of 33 Vict., Cap. 3, should be repealed and that the services should be reconstructed on the basis of an Imperial and Provincial Service, in accordance with the Commission's recommendation; observed that the terms "Imperial" and "Provincial" were well adapted to express the character and scope of the two services and agreed to their being respectively substituted for "Covenanted" and "Uncovenanted," the use of which should be discontinued.

S. In his reply the Secretary of State agreed; with the recommendation 1 Despatch No. Public-104, dated 12th September of the Government of India regarding the abo-lition of the Statutory Service and made certain suggestions regarding the manner of dealing with those officers who were then in that service. His Lordship thought that the course least open to objection would be to give to every Statutory Civilian the option of remaining either in the position then occupied by him or of being transferred to the Provincial Civil Service with an acknowledgment of his preferential claims over members of the Provincial Services for promotion to the transferred appointments. 9. The Government of India thereupon in

their letters No. 301, sPrinted as an annexdated 14th ure, side page 482. 1890, decided to place on a classified list certain

offices in the different grades and Departments Ollocs in the difficulty and to declare these publicly to be offices to which members of the Provincial Service might be properly appointed and laid down certain conditions subject to which alone the appointment of a member of the Provincial Service could be made to an office entered in the classified list. Further, the Government of India in their letter No. 1479, dated 31st July 1890, requested that each Statutory Civilian appointed in the Bombay Presidency before the close of 1889 might be called upon to choose whether he would remain in the position he was then in or be transferred to the Provincial Service with an acknowledgment of his preferential claims to promotion to scheduled appointments before other members of that service and a brief explanation was offered as to when and in what manner the claims of such officers to promotion were to be considered and how the recognition of such claims would affect the prospect of appointment of members of the Provincial Service to scheduled posts. The replies received from the Statutory Civilians who were addressed in accordance with these instructions showed that none of them was willing to join the Provincial Service and that all elected to retain their position as Statutory Civilians.

10. Finally, the Government of India issued a Resolution No. 9-Public -1842-1352, dated 21st April 1832, on the subject of the Report of the Public Service Commission and the opinions expressed thereon by Local Governments and Administrations, in which they observed that the following 18 appointments in the Bombay establishment should from that date be cutered in the list as open to the Provincial Service :-

Ronles

***	2
	2
	1
	2
***	9
***	1
***	1
	_
•••	18

The nine appointments of Assistant Collectors subordinate to the headship of the District were

Υ [1] That the maximum extent to which room in the higher effects will gradually become available for competent members of the Provincial Service is onesist of the mature of appointments then held by the L C, S, [4] that the time and catester of the submission of members of the Provincial Service to solicited appointments should sprain the submission of the provincial Service and propositions, the interest of the Provincial Service who will be submissionally should spraintend to the propositions, the interest should spraintend to the provincial Service who is fully fit and competent the variable for any rant efficies within any become reason, a member of the I, C, S, shall be appointed.

On the submission of the submi

to be amalgamated with the then existing grades of Deputy Magistrates and Collectors and distributed among those grades as shown below : -

3 posts in the Third Grade of Deputy Collectors on (corresponding to First Assistant) ...

4 posts in the Fourth Grade of Deputy Collectors on (corresponding to Se-... 500 cond Assistant)

2 posts in the Sixth Grade of Deputy Collectors on (corresponding to passed Assistant) ... The pay of the two appointments of headships of

Districts was fixed at Rs. 1,600 or 1,200 according as the appointment is made to a Senior or Junior Collectorship (vide Government Notification\* No. 6768, dated 23rd August 1892). It

\* Printed as an annexure, eide pages 480 and 487. should be observed that these eighteen appointments represented one-sixth of the appointments then held by the Indian Civil Service officers on

In continuation of the Resolution mentioned above, the Government of India in their letter No. 1536, dated 27th May 1892, forwarded for consideration a set of rules for admission to, and promotion in, the Provincial Civil Service and prescribed the lines on which they should be framed and worked. By Government Resolution No. 7070, dated 5th September 1892, a Committee was accordingly appointed by this Government to draft the rules required by the Government of India. With letter No. 7201, dated 3rd October 1893, from this Government, the rules recommended by the Committee were submitted for the approval of the Government of India. They were subsequently revised in accordance with the directions contained in the letter from the Government of India No. 1901, dated 21st December 1893, and published under this Government Notifi-

cation† No. 9138, dated 20th November 1895. † Printed as an annexure, wide pages 487 to 490. With the introduction of these rules the Provincial Civil Service was inaugurated, but the scheme was not completely carried out for a considerable time since the appointments transferred to it, except the two appointments on Rs. 300 per mensem, corres-ponding to passed Assistants, remained in charge of Statutory Civilians. The appointments in the 3rd and 4th Grades were gradually absorbed in the Provincial Civil Service as they became available on the retirement of Statutory Civilians. It may be observed that the two posts of Head-ships of Districts are still held by surviving Members of the Statutory Civil Service and are therefore not<sup>(3)</sup> yet available for the Provincial Civil Service. The rules mentioned above were from time to time revised and were last publish-

ed in Governmenti No. 1112, Notification 1 Printed as an amexure, ride pages 493 to 495, dated 2nd February 1912. The 18 appointments

mentioned in the preceding paragraph which were thrown open to the Provincial Civil Service (Executive and Judicial Branches) are embodied in the lists of appointments printed as Lists A-(1) and B-(1) of the roles quoted 12. It will be seen that the main differences

between the rules of 1895 and those of 1912 are

fil One of these will be available on the retirement of Mr. K. R. Bomanji on 5th July 1913,

(1) that Mamlatdars (2) have been included in the Provincial Service (Executive Branch), Lower Division; (2) that the number of appointments in the Bombay Presidency open to the Provincial Civil Service (Executive Branch), Upper Division, has been raised from 75 to 86; and (3) that the competitive test for admission into the Service has been abolished. The first of these modifications has been dealt with separately in the memo. on the subject of the appointment of Mamlatdars, The second is dealt with in the succeeding paragraphs. As regards the third, it may be noted that only two competitive examinations were held, the first in 1897 and the second in 1900. Attention is, however, invited to the orders of the Government of India contained in Government Resolution, Educational Department, No. 1208, dated 6th July 1905, abolishing the competitive test on the ground that its results merely repeated those of the University Examinations. During the intervening period, etz., from 1900 to 1905 the candidates were selected without examination after approval of the Gov-

erament of India to the adoption of this course. Probationary Depuly Collectors. In accordance with Nos. IV and V of the Rules for admission to, and promotion in, the Provincial Civil Service in force in 1895 the candidates who were selected after the competitive test were appointed at once to the sixth grade of Deputy Collectors on Rs. 300 per mensem, subject to a probationary period of two years and the passing of the Departmental Examina-tions as provided for in No. XVII of these Rules. This system was found inconvenient because the candidates so selected were found unfit, for want

of experience and training to perform the doties in their letters No. 3863. dated 9th June 1898. § Printed as an annexure, vide page 490, addressed the Govern-

ment of India, on the subject and recommended that, with a view to meeting this difficulty, the probationers appointed under the rules should form a separate class altogether outside of, and in addition to, the Deputy Collectors' cadre, receiving a salary of Rs. 200 per mensem and that they should hold these appointments until (1) they had passed both the Lower and Higher Standard Departmental Examinations, (2) they had shown themselves qualified for such magisterial powers as Government might consider essential as a preliminary to appointment as Deputy Collectors and (3) permanent vacancies had occurred in the cadre of Deputy Collectors. The Government of

India after some discussion agreed to the pro-Frinted as an annexure, gide pages 490 and 491. posal with the modification that the initial salar

of the post of a probationer should be Rs. 150 per mensem for the first year, then Rs, 175 per mensem until he passed the Departmental Examination by the Higher Standard and after that Rs. 200 per mensem until he was appointed to the Provincial Civil Service, and that the maximum number of appointments which this Government could create should be four. Up to the year 1912 these four probationary appointments were distributed equally between the Presidency proper and Sind, but Government in their letter No. 2105, dated 28th February 1912, to the

<sup>(</sup>i) These officers are in charge of the administrative areas known as talukar; the power of making appointments to these posts and granting them leave remains with the Commissioners as hitherto.

the number of probationers for the Presidency ment of India sanctioned proper should in fature he three and for Sind following scale for Sind:—

only one.

14. The first important reorganization of the cadre of Deputy Collectors in the Bombay Presidency was sanctioned along with those in other Presidencies and Provinces by the Government of India in their Resolution No. 68-2024-85, dated 15th December 1881. The causes which led to the reorganization were-

the great differences in rates of pay between different Provinces;

(2) the extremely low remaneration in some Provinces for duties of a highly responsible

character;

and (3) the want of uniformity in the proportions of officers in the several grades and the consequent inevitable irregularity in promotion which the percentages revealed.

The result of the reorganization mentioned Cadre in the Presidency proper below the reorganization of 1861.

above is detailed below :-

	Number of appoint- ments in each grade.	Pay.	Total mouthly east.	Gendo.	Number of appoint- ments in each grade.	Pay.	Total menthly cust,
		Rg.	Rs.			Re.	Rs.
1	4	200	2,800	1	1	800	603
2		0001	3,600	2	2	700	1,400
3	٠ ٥	tos	2,500	3	3	600	1,800
4	10	100	4,000	4	11	500	6,500
5	18	200	5,400	5	12	419	4,200
				6	13	309	3,508
<del></del>						-	<b> </b> -
Total	43	Total	17,700	Total	40	Fotal	16,200

It will be seen that there was no increase in the number of appointments of Deputy Collectors but the monthly cost of the capter was raised from Rs. 17,700 to Rs. 18,200, a net increase of Rs. 500 a month or Rs. 6,000 per sunnum. Before 1881 the establishment of Deputy Collectors in Sind (including Extra Assistant Collectors who were regarded as being virtually Deputy Collectors) was as shown below :-

4 Deputy Collectors, 4th Grade, on

Rs. 400 3 Deputy Collectors, 5th Grade, on Ŕs. 300 900

2 Extra Assistant Collectors, 1st

Class, on Rs. 300 4 Extra Assistant Collectors, 2nd

600

Class, on Rs. 250

13 ... 4,100 Total

The seven Deputy Collectors mentioned above were included in the general list of Deputy Col-lectors for the entire Presidency and were entitled to grade promotion in that list according to their seniority. The Commissioner in Sind while submitting proposals in accordance with the Resolu-tion of the Government of India No. 68-2024-35, dated 15th December 1881, urged that the connection of the seven Deputy Collectors with the Bombay general list should be severed and recommended the creation of an additional appointment of Deputy Collector on Rs. 500 per mensem, who was to be employed as Daftardar н 495-119

Commissioner in Sind have since decided that or Native Assistant under him. The Government of India sanctioned the adoption of the

Grade.	No. of appointments in each grade.	Pay.	Total monthly
2 8 4 5 6	1 1 4 4 4 4 14	Rs. 700 600 500 400 300	Rs. 700 600 2,000 1,600 1,200

The net result of this was that there was an increase of Rs. 2,900 in monthly cost or Rs. 24,000 in yearly cost. The total extra cost was Rs. 2,500 per mensem or Rs. 30,000 per annum for the whole Presidency including Sind. Deducting the cost of one new appointment on Rs. 500 per mensem the cost of regrading the 55 old appointments in the Presidency Proper and in Sind was Rs. 24,000 per annum. Some additions to the cadres of Deputy Collectors both in the Presi-dency proper and in Sind were made between 1882 and 1910 as briefly detailed below :-

Presidency proper.

2 appointments of Deputy Collectors, 6th
Grade, to provide for the post of a Nativo
Assistant to each of the Commissioners, Central and Southern Divisions.

1 appointment of a 5th Grade Deputy Collector to provide for the post of personal Assistant to the Director of Agriculture, Bombay.

1 appointment of a Deputy Collector, 6th Grade, with a view to separating the treasury and magisterial duties performed by the Huzur Deputy Collector at Surat. 1 appointment of a Deputy Collector, 5th Grade, in lieu of that of Assistant to

Collector of Income Tax, Bombay,

 appointment of a Deputy Collector, 6th Grade, to provide for a Personal Assistant to the Collector of Dharwar. Sind.

Conversion of the post of Superintendent of the office of the Commissioner in Sind into an appointment of Deputy Collector, 6th Grade, with a view to his employment as uncovenanted Assistant to the Commissioner in Sind.

Grading of the two Assistant Collectors of Customs as Deputy Collectors, 5th and 6th Grades, in Sind.

(Of these one was abolished subsequently owing to the creation of a new appointment of Assistant Commissioner of Salt, Excise and Opium in Sind.)

Creation of three appointments of 6th Grade Deputy Collectors to assist the three Assistant Collectors in charge of certain heavily worked sub-divisional charges.

Two appointments, one in the 5th and one in the 5th Grade of Deputy Collectors to meet the increased requirements of the Province of Sind consequent on the creation of the Lárkána Collectorate

One appointment of 4th Grade Deputy Collector in connection with the separation of treasury arrangements of the Hyderabad and Thar and Parkar Districts.

15. Besides these, five out of the nine appointments of Assistant Collectors thrown open to the Provincial Civil \*Printed as an accompani-ment, side pages 486 and Service in Government Notification\* No. 6768,

dated 23rd August 1892, were added to the Deputy Collectors' cadre during the period mentioned above as they become available.

In 1907, the Government of India called for the views of this Government on the question of placing the Deputy Collectors serving in Sind and the Presidency proper on a single list for purposes of promotion. The strength and cost of the two cadres was then as shown below:-

	Presidency	proper,		Stad.							
Graria.	Number of apprint- ments in each grade.	Pay.	Total muchly cost.	Number of appoint- ments in such grade.	Pay:	Total monthly cest.					
		Rt.	Rs.			Re.	Re.				
1	1	800	800	1							
3	3 .	700	1,450	2	1	700	m				
8	3	600	1,600	3	1	500	. 000				
4	18	B00	7,100	4.	l a	500	8,000				
5	14	(0)	5,600	6	7	400	2,800				
6	18	200	5,400	6	7	800	2,100				
	<u> </u>	-					ļ				
***	53		22,500		22		9,200				
						l	t				

It was evident that by the amalgamation of the two lists the prospects of some of the Deputy Collectors in Sind would be improved but at the same time the promotion of Deputy Collectors in the Presidency proper would be retarded. With a view to reducing to a minimum the possibility of discontent in the Service in the Presidency proper, it was proposed to modify the grading in the amelgamated list by increasing the appoint-ments in the third grade and the fifth grade by one each and reducing by two the number of appointments in the sixth grade. It was also observed that after the four appointments due to the retirement of statutory civilians were added to the combined list the block of promotion in the Provincial Service would be further reduced. Three appointments-one in the first, one in the fourth and one in the sixth grade-were added to the proposed scale to provide for the appointments of City Magistrates, Karáchi, Additional City Magistrate, Karáchi, and a Deputy Collector in connection with the formation of the new district of Nawabshah in Sind. As the Government of India desired to complete the whole scheme at once and put it on a satisfactory basis, the four appointments referred to above, viz., three corresponding to the third grade and one to the fourth grade of Grade No. of appointments. Deputy Collectors, which 1st 2nd

ŝ were eventually to be transferred to the Provincial Civil Service after 23 24 the retirement of certain Total ... \$2 attaintory civilians, were also added. The amalgament of Units about 10 to 10

ment of India, shows in all 82 appointments distributed in the different grades as shown in the margin. (Government Resolution No. 9340, dated 14th October 1910.)

17. In connection with the formation of the Nawabshah District from 1st November 1912 the Government of India were requested to sanction a post of Assistant Collector on Rs. 700 per mensem to hold the additional sub-divisional charge consequent on the redistribution of the sub-divisional charges of the old Hyderabad and Thar and Parker Districts between the three new districts of Hyderabad, Thar and Parkar and Nawabshah. The Government of India did not approve of these proposals but recommended to the Secretary of State the substitution of a Deputy Collectorship on Rs. 400 per mensem for the Assistant Collectorship on Rs. 700 per mensom proposed by this Government. This recommendation was approved by the Secretary of State. Thus the total strength of the cadre of Deputy Collectors was raised to 83 on 1st November 1912. The 83 appointments mentioned above are distributed as follows :--

District Deputy Collectors in Sind and Presidency proper ...

Husar Deputy Collectors (5 in Sind and 18 in the Presidency proper) 34 23 Assistants to Commissioners of Divisions and to the Commissioner in Sind Assistant Collector of Customs in Sind ... City Deputy Collector, Karachi City Magistrates, Ahmedabad, Surat, Poona and Karáchi ......... Personal Assistant to the Director of

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1

1

Agriculture ... Personal Assistants to the Collectors in the Presidency proper (Thána, Sátára and Dhárwar)... Daftardárs to Collectors in Sind ... Deputy Collector with attached duties.

Hyderabad Deputy Collector of Income Tax, Bombay, \* Deputy Collector employed under the Collector of Bombay ...

Total 83 On the introduction of the Factory Act in Bonday from 1st July 1312 and owing to the reorganization of the Boller Department under the Collector of Bonday, the part of Antist-art Collector was interferred to the Kanan District and the Departy Collector was interferred to the Kanan District and the Departy Collector with from by the arrangement was posted to the Collector of affice, Breakey.

18. In fixing the strength of the cadre of the Provincial Civil Service, Executive Branch, the principle followed is to determine the number of sub-divisional charges which could be safely entrasted to Deputy Collectors plus the number of Huzur Treasury charges and other miscella-neous appointments which the Provincial Civil

Revise officers are considered fit to held.

19. The appointment of Talukdári Settlement Officer being thrown open to the Provincial Civil Service was held by the late Mr. Bhimbhai Kirparam but, since his death in September 1904, the post has been held by a member of the Indian Civil Service as Government considered it of great importance for the benefit of the tellukders that there should be continuity of administration under an European Officer for a term of years. The question whether an appointment of an additional acting Collector or of an additional Deputy Collector, 1st grade, in lieu of this post should be given to the Provincial Civil Service is still under the consideration of this Govern-

The Provincial Civil Service is entirely manned at present by non-Europeans. attached Statements B

and C show, so far as † Vide page 481. details are available, the proportionate representation of the various

Indian castes and communities on the 1st April 1912 and the 1st April 1887, respectively. As has already been observed, appointments to the

statutory service were made by the Governor General in Conneil on the nomination of Local Governments. This system was superseded in 1835, when the Provincial Civil Service was constituted substantially on its present basis, by a method of combined competitive examination. selection and promotion which was conducted under the following rules published in that

Presidency proper.

(1) Vacancies in the Modes of appointment to Executive Branch. Executive Branch will ordinarily be filled up by-

(a) Direct competition ; (b) Selection among candidates after examination:

(c) Promotion of selected officers who are already in the Subordinate Service;

(d) By nomination in exceptional cases of any persons considered to be specially quali-

(2) Six months' notice will be given in the Government Gasette and Recruitment by competi-tion and selection after examination. the public newspapers of

the number of appointments to be filled up each year by direct competition and by selection after examination and of the date fixed for the exam-

ination. Admission to the examination will be

subject to the following conditions:-(1) The age of candidates shall not be less

than 2I or more than 25 years on the date to be fixed by Government for the examination. The proofs of age required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service

(2) Candidates must produce satisfactory

certificates of-

(a) Physical fitness for the service of Government from the Presidency Medical Board ;

(b) Nationality; (c) Character, from the heads of such schools and colleges as they may have attended or in the event of their being already in the service of Government from the head of the Department in which they may be employed.

Province of Sind.

(3) Appointments to the Executive Branch in Sind will also be filled up under the above rules except that the examinations will be conducted at Karáchi by a Board to be appointed by the Commissioner, who will report the results to Government, and that the verascular language in the case of caudidates for appointment by direct competition or selection after examination

will be Sindli, or Hindustani.

21. The question of the abolition of the Competitive Examinations for the Public Service was fully dealt with in paragraphs 9-11 of the Resolution of the Government of India, No. 199-211, dated 11th March 1904, which expressed the conclusion of that Government that for the higher grades of service there was no need to have recourse to the Competitive system, as in most cases it was possible to accept the various University degrees and distinctions as indicating that the holders had completed the general education requisite to enable them to fill particular posts. As a rule, therefore, the Government of India considered that special competi tions should be abolished and that Departmental knowledge could best be attained during the period of probation and tested after a period of

such service. The rules for the Provincial Civil Service were accordingly revised. The existing rules on the subject of methods of recruitment employed for admission to the Executive Branch, Upper Division, Provincial Civil Service, are as follows :--

## Presidency proper and Sind.

Modes of appointment to III.-Vacancies will ordinarily be filled up Executive Branch, Upper Districtor by-

(a) selection of persons of high educational qualifications who are not already in Government service :

(b) promotion of selected officers who are already in the Lower Division, Presidency proper, and the subordinate service in Sind.

IV .- Notice will be given in the Government Gazette of the number of appointments to be filled Resruitment by Selection.

by selection and of the latest date for receipt of applications. Applicauts must produce evidence-

(i) that they will be above 21 and below 25 years of age on the date above montioned and that they are eligible for appointment under rule I of Government Notification No. 1112, dated 2nd February 1912; the proofs of age and nationality required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service;

(ii) as to the University degrees or other educational distinctions gained by them;

(iii) as to their proficiency and conduct in the shape of certificates from the heads of such educational institutions as they may have attended, provided that a candidate who has attended a college must produce a certificate from the Principal of such

V .- Every selected candidate will be required to satisfy Government, after a special medical examination to be conducted by the Medical Board of the Presidency, that he is in all respects physically fitted for the performance of the duties required of an officer holding any appointment in this Division of the Executive Branch of the Provincial Service

VI.—Every probationer appointed by selec-tion under rule III (a)

Probationers in the Ess-ive Reapsh, Hance Divi-Probationers in the Exe-cutive Branch, Upper Divithrough the course of

equitation and obtain the y, and to pass the tests estificate of proficioncy, and to pass the tests prescribed for Junior Members of the Indian Civil Service, viz., the Lower and Higher Standard Departmental Examinations, including an examination in the language of the District to which he is posted. The Collector of the District to which he is appointed will afford him every necessary facility for acquiring a thorough insight into his duties. Except for special reasons such probationer will not receive permanent charge of a taluka nor be invested with magisterial powers until he shall have passed the Departmental Examination, Lower Standard. After the period of interest person of the probationer will ordinarily be appointed to the first vacancy occurring in the cadre of Deputy Collectors. occarring in the caurs of Deputy Collectors. His pay will be—for the first year of the proba-tionary period—Rs. 150 per mensem, then notil he passes the Departmental Examination, Higher Standard, Rs. 175 per mensem, and after that Rs. 200 per mensem, until be obtains a substantive appointment in the Provincial Service.

Acte.—In any care in which the versacular of the district to which a productioner may be appointed in his own language, the is not required to pass in that versacular.

XVII.—Nothing in any of the foregoing rules shall prevent His Excel-Exceptional and tem- longy the Governor in

Receptions and tem length and compensation of the Commissioner in Sind, as the case may be, from appointing in exceptional cases any person whom they consider to be specially qualified to the Excentive Brunch, Upper Division, or Judicial Branch of the Provincial Service, by nomination, pure and simple, nor from making such arrangements for carrying on the duties or officers temporarily absent as may be convenient, norbe construct as an engagement on the part of Government who reserve the right to vary the rules from time to time, with or without notine, as the public interests may require

As an outcome of the deliberations of the Royal Commission on Decentralization, the Government of India, in their Home Department Resolution No. 1046—1089, dated 19th August 1910, have invested Local Governments with enhanced powers in the metter of recutinents for the Provincial Civil Service. The Local Governments are now authorized to frame rules for this purpose, subject to the following general and specific provisions:—

I.—The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II .- Every candidate for appointment by recruitment must furnish satisfactory evidence-

- (a) that he is not over 25 years of age, except in the case of Barristers, Advocates or Pleaders appointed to the judicial branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;
- (6) that he has atteined a prescribed prefining the standard of general denotation to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the veracular Janguages of the province in which he is to be employed is to be insified on. The veracular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;
- (c) that he is of sound health, good physique and active habits; and
- and active habits; and (d) that he is of good character.
- III.—Beery person appointed to the provincial ciril service by direct remritiment shall be subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects. V.—Admission to the provincial civil service should smally be confined to persons who are notifies of the province or have definitely sattled in it. In the case of candidates who are not naivres of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrista, Advocate or Placed's should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

"VI,—Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII.—The Local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades

VIII.—The Government of India relain power in very special cases to make direct appointments to offices in the higher grades of the proximate oril services, and whenever the Government of Louis exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates or Pleaders of the High Courts who have aboven distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vermoular.

IX.—No member of the provincial civil serviceshall be dismissed otherwise than on the result of a indicial or formal deportmental inquire

- of a judicial or formal departmental inquiry. 22. In their letter No. 1383, dated 18th December 1909, the Government of India authorized this Government to create for a period not exceeding six months temporary appointments of Deputy Collectors to fill vacancies among the members of the Indian Civil Service in cases in which the reserve (18) of the Indian Civil Service has been exhausted by the deputation of 15 officers under the Government of India and 8 officers under this Government. For each excess appointment over this number, viz., 18, an additional appointment of a temporary Deputy Collector could be created under Article 78 (b) of the Civil Service Regulations. Under the orders issued in the Resolution of the Government of India, No. 249-E.A., dated 15th July 1912, the limit of six months has been removed and Local Governments have been empowered to sanctionsuch appointments for any period. The Government of India orders mentioned above also authorize this Government to create any new posts on a salary not exceeding Rs. 800 per mensem, and to expend on the reorganization of any-service on accepted. lines any sum not in excess in the aggregate of Rs. 50,000 per annum.
- in the aggregate of Rs. 50,000 per canutum.

  28. The Government of India in their Notification, No. 1128, dated 26th August 1910, have also empowered this Government to make temporary appointments for a period and exceeding three months, of any native of India of proved ment and ability to any of the offices ordinarily held by Members of the Indian Civil Service whenever the extigaction of the Public Service whenever the extigaction of the Public Service reader it necessary, the only condition being that such appointments must not involve a transfer from another district.
- 24. At the request of this Government, the Government of India moved the Secretary of State who, in his despatch No. 174-Public, dated 6th October 1911, sanctioned the withdrawal of

Assistants to the Commissioners, C. D. and S. D., - of Sind the officers of corresponding status are should not draw a higher pay than Rs, 500 a termed Mukhtyárkárs.

25. The principles of recruitment for selfcontained services are not applicable to the Executive Branch of the Provincial Service in the Bombay Presidency. The rate of recruitment accordingly depends upon the actual number of vacancies by retirements or deaths. The number of officers appointed year by year to the Upper Division of the Executive Branch in the Bombay Presidency under each system of recruit-

ment since the formation of the service is given in \* Vide page 482. Statement D\* attached.

26. The leave rules of the Provincial Civil Service are the same as those governing the general body of the Indian Services. They are set out in detail in Chapters XI, XII and XIV of the Civil Service Regulations. The leave rules for the statutory civil servants are those mentioned in Chapter XXVI of the Regulations, In so fer as short leave is concerned, members of the Provincial Service are on the same footing as members of the Indian Civil Service but there are differences as regards long leave.

27. As regards pensions, members of the Provincial Civil Service are in the same position as the employes of Government generally outside cortain small special services which have their own rules, and the Indian Civil Service which has its peculiar annuity system. The detailed orders on the subject will be found in Chapters XV and XIX of the Civil Service Regulations. Speaking generally, it may be said that under these rules a member of a Provincial Civil Service is ordinarily supersunuated at the ago of 55, but may receive annual extensions of service up to the age of 60. He makes no contribution to his pension but receives on retirement, after a service of not less than ten years, a proportionate pension on the scale laid down in Article 474 of the Civil Service Regulations till he completes 25 years' service and above when he is entitled to draw pension equal to half of average emoluments, subject to a maximum of Rs. 5,000 a year or Rs, 416 a month. Rules regarding the grant of pension to statutory civilians are those set out in Chapter XXVI of the Regulations. Under these rules, they are entitled to draw a pension not exceeding Rs. 5,000 a year after an active year after an active service of not less than 30 years.

CHAFTER II .- (LOWER DIVISION).

## Mámlatdárs.

1. Under the Peshwa the management of districts was entrusted to officers styled 'Sar Subhedars' who during the later years of the Poshwa's Government generally remained in Poona and deputed officers styled Mandatdars, Subbedays or Kamavisdays, to act for them. In 1839 Government directed that all these officers should be designated 'Mandatdars.'

The Manulatdars are officers of the Rere-2. The Maintagars are con-nue Department in executive charge of the each district in the Presidency is divided. They are in charge of the taluka treasury and exercise important magisterial powers, not infrequently those of the First Class, and on the Civil side have a wide jurisdiction in the grant of assistance to landlords in the recovery of their rents, and the decision of summary possession suits under

the restriction that the Native or Personal the Mamlatdars' Courts Act. In the Province

3. At the time of the Pablic Service Commission of 1896-87 there were the following appointments of Mimlatdirs :-

lst Grade, pav Bs. 186.	and Grade, pay Rs. 230.			
	_			
7	8	12	13	-10
10	1s	20	. 22	06
6	10	15	10	48
23	34	47	32	163
	7 10 0	7 B. 19 14 6 12	Par   Par	7 8 12 13 10 14 20 22 6 12 15 10

Out of these 155 Mamlatdars 48 drew personal allowances (some at Rs. 45 and some at Rs. 25 per measem) for exercising First Class Magistorial powers. In May 1887 the Government of India asked the Bombay Government to consider whether these allowances might not be gradually withdrawn. The Commissioners, Northern, Central and Southern Divisions, stated that, as there was a dearth of Assistant and Deputy Collectors to exercise First Class Magisterial powers, no change should be made, but that, if a change was to be made, they would prefer that it should take the form of a numerical reduction, coupled with a moderate increase in the allowance, which should be local and not personal and given to Mamlatdars at outlying stations where a First Class Magistrate was a necessity, Accordingly in December 1887 it was directed that there should be 21 Mamlats ordinarily to be held by Mamlatdars qualified to exercise First Class Magisterial powers, and that to each of these Mamlats a local allowance of Rs. 40 a month should be attached so long as the Mainlatdár actually exercised powers of the First Class. In addition to the 21 permanent local allowances each of the three Divisional Commissioners was authorized to sanction the grant of an allowance of Rs. 40 per mensom to any Mamlatdar exercising First Class Magisterial powers in a district, on whom, owing to absence on leave of other First Class Magistrates or any other cause, unusually heavy Magisterial work was thrown, provided that not more than one such allowance should be in existence at any time in his Division.

4. In 1891 it was brought to the notice of Government that difficulty not infrequently arose in finding, among the lower ranks, officers of sufficient experience and ability for the post of Collectors' Chitmises. It occurred to Government that a useful administrative improvement might be secured if the pay of the office of Chitnis, i. e., head of the Collector's Vernacular office, was raised to Rs. 150 from Rs 100 and and its. 125 and if the appointments were assimilated with those of the lowest grade of Mamlatdars. The Commissioners, Northern, Contral and Southern Divisions, to whom the suggestion was referred for remarks, approved of it unani-monsly. Accordingly in December 1891 Government issued orders sanctioning the grading of Chitmises with Mamlatdars and increasing the umber of appointments in the Fourth Grade of Mámlatdárs by 18.

5. In November 1902 the necessity for the entertainment of three Resident Magistrates at Bándre, Hubli-Dhárwár and Borsad was brought to the notice of Government by the Commissioners, Northern and Southern Divisions. The number of appointments in each of the last three grades of Mamlatdars was accordingly increased by one in 1904,

6. In 1903 Government considered that an improvement in the position of District Inspectors of Agriculture was needed in order to secure efficiency and that it would be desirable to grade efficiency and that it would be desirable to grade those officers with Mamlatidars so that such of them as had special aptitude for the work might remain for a longer period in their posts than was possible under existing conditions. Accordingly in 1905 the District Inspectors of Agriculture, who drew pay at the rates of Rs. 150, 125 and 100 per mensem, were graded with Mamlat-dárs. Three were placed in the second grade (Rs. 200), six in the third grade (Rs. 175) and nine in the fourth grade (Rs. 150).

7. In the year 1906, owing to the division of Khandesh into two districts, two posts of Mam-latdars were added to the fourth grade and, in 1907, an addition of one post to the same grade was made owing to the conversion of the Hukeri Mahal in the Belgaum District into a Taluka.

- 8. In the year 1906 petitions were received from the Mamlatdars in the three Divisions praying for improvement of their prospects and status. Government had also at that time under consideration the question of abolishing the allowance of Rs. 40 per mensem drawn by Man-latdárs invested with First Class Magisterial powers, and of compensating them for the loss of this allowance. The latter proposal was considered along with the Mamlatdars' petitions and a recommendation was made to the Government of India for the abolition of the Magisterial allowance, for the creation of two new grades on Rs. 275 and Rs. 225 per mensers, and for the distribution of the existing number of appoint-ments in six grades. The Government of India approved of the abolition of the Magisterial allowance, but they declined, in the interest of uniformity with other Provinces, to sanction the proposed highest grade on Rs. 275 per mensem and suggested the distribution of appointments in five grades on Rs. 250, Rs. 225, Rs. 200, Rs. 175 and Rs. 150 per mensem. A representation was made by this Government to the Government of India asking for a reconsideration of these orders and the Government of India asked for certain information in connection with the grievances and recruitment of Manlatdars. This information was furnished in the letter from this Government No. 12466, dated 28th Decemher 1909. In this letter Government did not press for the creation of a higher grade on Rs. 275 per mensem but proposed a redistribu-tion of the number of appointments in five grades on Rs. 250, Rs. 225, Rs. 200, Rs. 175 and Rs. 150 on he 200, he control of the per mensem at an extra cost exceeding by Rs. 1,750 per mensem that proposed by the Government of India. These proposals were sametioned by the Government of India in their letter No. 234-110-2, dated 28th February 1910, and came into force from 1st April 1910.
- 9. In addition to pay all Manlatdars draw a permanent travelling allowance of Rs. 25 per mensem each.

The present strength of Mámlaidárs is as shown below:-

Dicklen.	Ist Omde, pay, Rs. 160		3rd Grade, yay Ra. 300.	filh Grade, Pay Rs. 175,	Sth Grade, Jay Se. 150	Tista l
Northern Dishion	8		10	13	13	83
Central Division	12	34	16	18	21	- 81
Southern Dirigina.	_ a	_ n	18	15	10	-66
Tela	28	31	39	45	50	197
	_		_	`	ــــــــــــــــــــــــــــــــــــــ	

11. As regards leave and pension rules a reference is invited to paragraphs 26 and 27\* of the Memorandum • Fare 477 aute. regarding the Provincial Service (Upper Divi-

## Recruitment, Training, etc.

- 12. Mámlatdárs are recruited from the Subordinate Revenue Service. The first edition of the Rules regulating the recruitment of the Subordinate Service of the Revenue Department was promulgated in 1878 and introduced a radical change in the condition of the Revenue Service. Before that year the appointments of Mámlatdárs were filled almost exclusively by promotion from the lower ranks. The lower officials had merely to pass the educational test prescribed by Government before admission to the service, and the Sub-service Departmental Examination after entering the service, and until they had passed this their appointments were probationary. There was thus nothing to prevent the humblest Taláti or Kárkun from working his way up by merit to a Mamlatdarship. Under the rules of 1878 the appointments of Mamlatdars were to be filled exclusively by graduates after a brief probation, thus materially injuring the prospects of the lower grades. Not only was a preferential claim to first appointment granted to graduates, but the door to promotion from the lower appointments to the higher post of Mámlatdár was practically closed to all who had not taken a degree, while for those who had, the way to a Manlat was made so easy that the lower appointments became mere stepping stones to be passed over as quickly as possible. The result to the service was found to be disadvantageous and the rules had to be modified in 1885. The rules prescribed by Government Resolution No. 7105, dated 2nd September 1885, were in force at the time of the Public Service Commisaion of 1896-87. These rules prescribed that preference should be given to the claims of candidates for admission to the Revenue Department in the following order :-

  - (a) Graduates: (b) Candidates who had passed the First Examination for the Degree of B.A. or B.Sc., or in Civil Engineering, or the Final Examina-tion of the Agricultural Class in the College of Science:
  - (c) Candidates who had passed the Previous Examination in Arts
  - (d) Candidates who had matriculated or who held the 2nd year certificate of the Agri-

cultural Class in a High School; and (e) Candidates who held a certificate of admission under the educational test.

Although the intention and effect of these rules were specially to facilitate the promotion of graduates to the rank of Mamlatdar, non-gradu-ates were not excluded. Two-thirds of the appointments went to graduates and one-third to non-graduates, while promotion to a Mamlat was regulated by priority in passing the Higher Standard Departmental Examination. Revised rules were sanctioned in Government Resolution No. 4517, dated 14th June 1904, for reasons which were mentioned in the preamble of that Resolution. The principle on which they were based was to secure for the Revenue Service the best men possible, whether graduates or nongraduates, while at the same time securing to graduates the full proportion of appointments in the Revenue Department to which their training

and abilities entitled them. The rules of 1904 provided that in making first appointments to the service the primary consideration should be superior education. A candidate for admission to the service under those rules must ordisarily have passed one of the following educational

(I) The Degree of M.A., B.A., B.Sc., L.Ag. or L.O.E.

(2) The School Final Examination, or

 (a) the full Senior Commercial Examination of the London Chamber of Commerce, or

 (b) the second grade Public Service Certificate Examination under the old rules, or

(c) the examination for the Public Service Certificate in Vernacular.

13. In 1908 petitions were received from Revenue Subordinates in the three Divisions, in which they prayed for increase in pay owing to the rise in prices and the increasing burden of office work. In passing orders on these petitions, Government in their Resolution No. 8901, dated this August 1908, appointed a Commistice of the Commissioners of Divisions and the Sektlement Commissioners of Divisions and the Records to report on the following points:—

(1) The desirability or otherwise of modifying the rules for the admission to, and promotion in, the Subordinate Revenue Service prescribed in 1904.

(2) The necessity or otherwise of raising the pay of the lowest grade of Kárkuns.

The joint report of the Commissioners of Divisions on (1) is contained in their letter No. A. 958, dated 7th May 1909, which is printed as an accompaniment to Government Resolution No. 1107, dated 7th February 1910. In this report the Commissioners have reviewed in detail the previous rules for admission to the Subordinate Revenue Service and the results produced by them. They stated that the rules of 1904 had, in most districts, resulted in a falling off, either in quality or in quantity, of candidates, or in both, and that the fact of promotion depending almost entirely on departmental examinations had disorganized the whole of the staff, as every Karkun who thought that he could pass the examinations left no stone unturned to get leave to study for them. The Commissioners stated that, according to the rules prescribed from time tank, according to the tank presented from almost to time for admission to, and promotion in, the Subordinate Revenue Service, selection for important executive posts depended on priority in passing the departmental examinations and that the executive officers had been taken from the ranks. The Commissioners expressed the opinion that the departmental examination should be merely a qualifying test and that it should not determine the candidates' whole future career. They also observed that recruitment from the ranks resulted in a positive disadvantage to a man who was to be called upon afterwards to exercise responsible functions. They accordin Government Resolution No. 6970, dated 4th August 1910. The principle underlying these rules is the division of the service into two entirely separate branches, called the Upper Branch and the Lower Branch, the former comprising all appointments, the pay of which is not less than Rs. 50 per measem, and the latter comprising all appointments on pay less than

Rs. 50 per mensem. The rules provide for promotion from the Lower to the Upper Branch of men who possess special qualifications for the latter Branch. The selection of candidates for the Upper Branch is made by the Collector of each district from among persons—

(a) who have taken the degree of M.A., B.A., LL.B., B.Sc., L.Ag., L.C.E., or the diploma for the higher course granted by the Chiefs' Colleges: and

diploma for the nighter course granted by the Chiefs' Colleges; and (b) who, though not graduates, appear to possess special qualifications for the Branch.

The selected candidate is kept on probation for 18 months and during that period draws a salary of Rs. 30 per measure. At the end of the period of probation he has to appear for a qualifying examination, after passing which he is confirmed. He has then to serve as Circle Inspector for two years. Promotions after first appointment to all posts below that of Mamlatdar are made by the Collector and are regulated by considerations of merit, seniority and public expediency. Appointments to the post of Mamlatder are made by the Commissioners of Divisions on similar grounds by selection from qualified members of the Upper Branch, and not less than one-half of such appointments are reserved for persons who have taken the Degrees and Diploma mentioned in (a) above. appointments of Mamlatdars are probationary for a year. Promotion to the Second and First Grades of Manilatdars is given more in consideration of proved merit and capacity than of seniority.

14. In paragraph 82 of their report the Public Service Commission of 185.68? expressed the opinion that in view of the probability of the promotion of Gincers in the Solveniante Gerenne Service as a reward for complesson sonit, the rules for the recuritment of the Subordiante Service in each Provinced the Subordiante Service in each Province should be carfelly revised. It is expected that the most selected under the latest rules of 1310 will be of a higher califor than the candidates while have higher changed it worth their while to enter the Department, and that the quality of the unes selected will approximate to that of mos selected for direct appointment to the Provincial Service.

In the Northern and Southern Divisions there are two vernacular languages, and it is considered essential that a Mamlatdar serving in either of these Divisions should be acquainted with both in order to make his services available in any district to which it may be expedient to post him. A Vernacular test was first introduced in 1886 in the Southern Division. It was provided that, in making appointments of Maulat-dars, preference should be given to men knowing both languages (Marathi and Kanarese), and that failure to pass the prescribed test within a year of the first substantive appointment, or two years in the case of men already appointed, would entail less of appointment and of promotion respectively. It was found that these rules could not be enforced in all cases. Government accordingly directed in 1892 that punishment for failure to pass within the prescribed period should take the form of stoppage of promotion and a deduction of 10 per cent, from the pay of defaulters. The orders were also extended to the Northern and Central Divisions, the Mamlatdars in the former Division being required to have a knowledge of Gujarati and Marathi and

in the Inter a knowledge of Marthii and Kánarese. The experience gained issue the orders of 1862 were passed aboved that there was no necessity for requiring Manhatdars in the Central Division to pass in Kánarese. It was therefore directed in 1964 that a knowlege of Kánarese need no longer be required from officers serving in the Central Division, but that candidates for Manhat in that Division whose mother tongue was not Marthii should be required to pass in that language.

The Commissioners of Divisions have power to great examplion from passing the vernacular examination to Mámlatidars of use less than 45 years of age, and also, in exceptional cases, to allow the prescribed period for passing the examination to be extended for not more than one year.

# Status. 16. The Mamlatdars were until recently

included in the Subordinate Revenue Service. The question of including them in the Provincial Service was considered in connection with the recommendation made by the Public Service Commission of 1886-87 that the line of demarcation between the Provincial and Subordinate Civil Services should be drawn between the appointments of Deputy Collectors and of Manilatdars, The Government of Bombay in the year 1899 recommended to the Government of India that Mámlatdárs should be included in the Provincial Service. The Government of India, however, did not accept this recommendation on the ground that officers of similar rank in other Provinces were not included in the Provincial Service. The question was again referred to the Government of India is 1894, but that Government stated that they were unable to accord to the Bombay Presidency any more favourable measure of treatment than was elsewhere approved, The question was again considered in connection with the petitions received from Mamlatdars in the year 1906 for improvement of their pay and status. A recommendation on the subject was submitted by this Government to the Government of India along with the recommendation for improvement in Mamlatdars' pay. The Government of India in their letter No. 1212, dated 2nd September 1910, sanctioned the inclusion of Mamlatdars in the Provincial Service. They laid down, however, that the admission of Mamlatdars to the Provincial Service should not per se give them any claim for promotion to the rank of Deputy Collectors, that the rules for the appointment of Deputy Collectors should remain unaffected, and that the grading of Deputy Collectors and Mamlatdars should continue to be separate and distinct. The Executive Branch of the Provincial Service is accordingly divided into two Divisions, the Upper Division comprising the Deputy Collectors, and the Lower Division comprising the Mamlatdars. Although Mamlatdars are thus included in the Provincial Service the power of appointing them continues, with the sanction of the Government of India, to lie with the Commissioners of Divisions. The distinction introduced is thus entirely one of name and prestige. It has not yet been applied to the officers of corresponding status in the Province of Sind, who are known as Mukhtyárkars. The Bombay Government has, however approved of the Commissioner in Sind's proposal to include Mukhtyárkárs in the Provincial Service. The necessary application will be made to the Government of India if, and when, the provision in next year's budget on account of the revision of the grading of Mukhtyarkars is smally,

17. The following statement shows the number of appointments of Mamlatdars held by the members of the several communities on lat April 1887 and lat April 1912

rbill 1001 au	n 1st Vb	T11 #8	12;	11.49
Comm	unity.		let-April 1887.	let April 1912
			Number,	Number.
lindús			146	150
ใจใดของสิสตรา	***		, 1.	. 4
anis -	•••	- 44	7	6
hristians .	. ***		, 1	1 11
	Tote	۱	155	•191
Comus	mity.:		Porcentage in 1887.	Percentage in 1912.
linlus		,	94.19	94-24
lahomotana	,		65	2.10
BINES		· 'm.	4:51	814
Inisians	<b>.</b>	. ***	•65	. 52
			<del></del>	
			. 160	100

<sup>\*</sup> This is exclusive of 4 appointments in the Central Division and 2 in the Southern Division which have been shown as vacant in the Quarterly Civil List for 1st April 1912.

 The following statements show the grades of Mamlatidars on 1st April 1887 and 1st April 1912, and the number of appointments in each grade :—

On 1st April 1887.

Pay of each G	rade.	1	umber in each gr	ade
lat Grade, pay Rs. 250		[	23	
2nd Grade, pay Rs. 200			- 34	
3rd Grade, pay Rs. 175	344	-4	47	٠,
6th Grade, pay Rs. 100			51	
	Total	-	155	

## On 1st April 1912.

	Pay o	f each C	rade.	. 7	Nu	mbe	in es	eh gre	de.
2nd Gr 3rd Gr 4th Gr	nde, pay ade, pay ade, pay ade, pay	Rs. 225 Rs. 298 Rs. 175					29 34 39 45 250	.sd	
	-	7.		Total			, 197	13	_

#### APPENDICES.

#### STATEMENT A.

Comparative statement showing the constitution of the grades of Deputy Collectors in the Presidency proper and in Sind as they stood on 1st April 1887 and on the same date in 1912.

				First	Grade,	Second	Grade.	Third	Grada.	Footb	Grade.	Fifth (	Imps.	Birth	Total	
	Year.			Number of special- ments,	Monthly pag.	Number of appoint- ments.		Eugaber of appoint- meats	Marib.	of ,Month-		Number of appoint- ments	Mondh.	Number Months		oumber of appoint- ments.
887	{Prosidency preper		-	1	Ra. 8%	3	Rs. 186 200	3	Es. 600 000	11.	71s. 60p 5 <sup>1</sup> 0	13	Rs. 400 400	15	8s. 300 200	45 14
		Total	-	1	-	3	-	4	-	35		17		19	-	£9
012	Prosidency Proper o	nd Sind	-	2	890	3	700	7"	670	2	500	231	630	25†	300	81

Incineire of one appointment added on the retirement of Mr. N. B. Divatia. † Exclusive of one appointment to be filled up on the formation of the Novabeliah District.

# STATEMENT B.

liatement aboving the proportion of members of the various nationalities and easter holding appointments in the Provincial Civil Service, Executive Branch (Upper Division), on 1st April 1912 in the Presidency proper and in Sind.

olientors,									Histor,										Prola- tionary Deputy Collec-														
offer i	ļ	1																			Brailmans. Other tastes,											Collec-	
Number of Departy	Christian,	Indo-Poreuguese.	Berasians,	Ango-Indus.	Esst-Indian,	Mubamamedane.	Parsie.	Roknestha or Chit-	Deehautha.	Gaud-Sarnswat.	Karaiths.	Nagar	Other Gesardti.	Pathare Prabbue.	Keyn the Practice.	Lings ofe.	Lot Vanin.	Molchfler.	And.	Lohaun.	Dadani,	Kabatriya.	Khatri.	Unite.	Maratha.	Bhatin.	Total.	Mahammodans.	Remarks.				
81	1	1	5	ı	1	9	8	11	6	5	8	3	3	3	3	3	:	1	6	ī	1	1	1	1	1	1	30	12	*One appoint-				
į			ě.						_							64													One appointment was seem! † Two appointments were vg- cupl.				

## 67-5 per cent.

- 1175 ,
- ii:15 ..

## STATEMENT C.

Statement showing the nationalities of officers holding appointments in the Provincial Civil Service; Executive Branch (Upper Division), on 1st April 1887 in the Presidency proper and in Sind.

nber of		Preside	ncy propo	t.		Number of		Sind,								
ents.	Muhamme- dan.	Christians.	etians. Parsis.		Total,	appoint- incuts.	Christians.	Muhamme- dans,	Hindus.	Total.	Remorks,					
45	1	7	9	28	45	14	\$	3	8							

Total for Presidency proper and Sin

Hindus 28 f.c. 61:02 per cont, Parsis 9 1545 Christians 10

16:95 4 678

> Total ... 59 100

# STATEMENT D.

Statement showing the number of appointments filled, since the promulgation of the Provincial Civil Service Rules in 1895, nuder each method of recruitment.

	_				
Yesz,		Direct competition.	Number of appointments filled by select on after examination (up to 1902) or after inviting applications.	Promotion of Subordinate Officers.	Nomînatiön.
	_				
1895		No appointments of the year.	were made under the rules which	came into	force in November
1896		, <b>.</b>	******	8	*****
1897	***	2 (on probation— one confirmed in 1899 and the other in 1900).	<b></b>	6	1 (already in Gov- ernment Service; held appoint- ment in another department; ap- pointed as proba- tioner and con-
1898	1			. 7	firmed in 1900).
	***				*****
1899	•••			7	******
1900 '	٠٠.	1 (on probation, confirmed in 1902).	******	3	
1901		*****	*****	. 2	
1902	٠.,	1 (on probation, confirmed in	1 (on probation, confirmed in 1904).	7.	
		1904).	1		1 :
1903	40	,,,,,,,	1 (on probation, confirmed in 1905).	. 8	
1904				9	1 (on probation, resigned in
1905		******	1 (on probation, confirmed in	4	1906).
1906	•••		l (on probation, confirmed in 1909).	9	100
1907		<b></b>	2 (on probation—one con- firmed in 1909 and the other in 1910).	9	
1908		******	1 (on probation, confirmed in 1910).	7	******
1909			2 (on probation—one resigned in 1910 and the other con- firmed in 1912).	6	
1910	••	******	2 (on probation—one confirmed in 1912).	9	
1911			1 (on probation, confirmed in 1912).	13	******
1912	**		2 (on probation)	17	1

## PAPERS REFERRED TO IN CHAPTER I.

No. 301.

From

A. P. MACDONNELL, Esq., C.S.I., Secretary to the Government of India;

THE SECRETARY TO THE

GOVERNMENT OF BOMBAY. Home Departm

Calcutta, the 14th February 1890.

In continuation of correspondence ending with Mr. Lee-Warner's letter No. 2996, dated 7th June 1888, regarding the final report of the Public Service Commission, 1 am now directed to forward, for the information of His Excellency the Governor in Conneil, copies of the Government of India's Despatch No. 58, dated 9th October 1888, and of the Secretary of State's reply No. 104, dated 12th September 1889. I am also to communicate the following remarks and suggestions on the proposals of the Commission so far as they relate to the Judicial and Executive Branches of the Administration, and to request that the Governor in Council will take them into his consideration and favour the Governor General in Council with his views on the several points dealt with

2. The Governor in Council will observe that, while approving of the proposal to create a

Provincial\* Ser-\* The term Provincial Service is throughout this letter provisionally used in the sense attached to it by vice, the Secretary of State has decided used to the sense attached to up by Chapter VII of the Public Service Commission's Report, and it is requested that it may be also so used in the reply of the Bombay Government. that legislation shall not be undertaken with the object of amending section 6 of 83 Vict.

Cap. 3, and that a proportion of the appointments now ordinarily held by members of the Civil Service recruited in England shall not be definitely transferred to the Provincial Service. His Lordship considers that the object contemplated by the Commission will be practically attained by requiring each Provincial Govern-ment to place, on a classified list, certain offices in the different grades and departments, and by publicly declaring these to be offices to which members of the Provincial Service may (subject to the conditions laid down in the Despatch from the Government of India, dated 9th October 1888) properly be appointed. These lists will be arranged to suit the prependerant administrative needs, circumstances, and aptitudes of each province and its people, and the proportion of appointments in the different branches will be from time to time determined and varied accordingly.

3. The Governor General in Council desires that the question of how this decision can be best carried into practice may now receive the careful consideration of the Bombay Government, and with a view of aiding its deliberations the following suggestions are thrown out. conditions, subject to which it will be possible to appoint a member of the Provincial Service to an office cutered in the classified list, are (I) that the maximum extent to which room in the higher offices will gradually become available for competent members of the Provincial Service is t of the appointments now held by the Indian Civil Service; (2) that the time and extent of the admission of members of the Provincial

Service to scheduled appointments must, however, be determined by the preponderant adminis-frative needs and apiatodes of the province and its people, and by the necessity for according to Indian civil servants and officers in a non-regulation Commission who entered the service before the reduction of recruitment in 1880, the preferential right, save in the exceptional circumstances contemplated in paragraph 21 of the Secretary of State's Despatch of 12th September, of appointment to offices entered in the schedule to 24 and 25 Vict., Cap. 54, and other offices to fill which the different Commissions have hitherto been recruited; and (3) that if no member of the Provincial Service who is fully fit and competent be available for any such office which may become vacant, a member of the Indian Civil Service shall be appointed.

4. The first point to be considered then is what appointments in Bombay may be declared to be appointments to which, subject to the foregoing conditions, members of the Provincial Service shall be eligible. In determining this question it will be necessary to pay attention to the schedule attached to the Government of India Despatch of 9th October 1888, to the cadre requirements of the Presidency of Bombay (including Sind) so far as appointments scheduled under 24 and 25 Vict., Cap. 54, or to which the principle of the schedule applies under the Secretary of State's

orders, are con-Under Segnetaries ... ... Commissioners of Divisions. Commissioner of Costoms, a cerned,\* and espoto cially Sult, Opion and Abhari . Heads of Districts 1 preponderant ad-42 ministrative needs Assistant Magistrates District Judges ... Ausistant Judges ... and aptitudes of the province and Assistant Cour missioner in 1 its people at the present time. Having regard to Tolsi ... 100

tions the following suggests itself to the Gover-nor General in Council, as at present advised and subject to any representations which the Governor in Council may see fit to make, as being a suitable list in the existing circumstances

of time and place:— Heads of Districts District Judges and Assistant Judges ... Assistant Magistrates and Collectors ...

giving a total of 14 appointments for the province or about one-seventh of the total number of scheduled posts.

Besides the 100 "Scheduled" appointments enumerated in the margin above, the cadre of the service in Bembey contains 20 local appoint-ments which, though not reserved, are ordinarily filled by members of the Indian Civil Service, These 20 appointments include the two Memberships of Council, the Commissionership in Sind, three High Court Judgeships, the Judicial Commissionership in Sind, and the 13 general

appointments noted Survey and Scattement Commisin the margin. eloner. Municipal The Governor in Commissioner, Council may desire Bombsy: Inspector General of Prisons. to increase Registration and Stamps. Director of Agriculture. Begistrar, Bigh Court. Remembrancer of Legal Affairs, Private Senetary to His Excelacy the Governor, Chief Presidency Magistrate, Imperter General of Police, Four Miscellaneous and Political

appointments.

the number of 14 appointments specified above by declaring some of these 13 marginally noted appointments to be open to members of the Provincial Service; it so, the additional posts should be shown separately in the way indicated in paragraph 8 below, care being taken that the maximum limit of 4 is not exceeded. The pay proposed for may posts which the Governor in Council may desire to add to the list should be stated in the reply to this communication.

- The schedule attached to the Despatch of 9th October 1888 provided for the admission of eligible Provincial officers to three more District Judges and Assistant Judgeships than have been included in the list above suggested and to one Under Secretaryship. But that schedule was meant to be a final settlement of the claims of the Provincial Service to scheduled posts, to be gradually worked up to within "a generation of official life." It is certain that peither the administrative needs of the Bombay Presidency and Sind, nor the aptitudes of their people, nor the claims of civilians recruited before 1880, permit at present, or will permit for many years to come, of the appointment of so many as 8 Provincial officers to be District Judges and Assistant Judges, and the Bombay Government entertains objections to the appointment of a Provincial officer to an Under Secretaryship. The list should be framed with reference to approximate reasonable requirements. It can be altered when such requirements change. Bot if the Governor in Council generally concurs in the schedule attached to the Government of India's Despatch of 9th October 1888, to the Secretary of State, the necessity of holding these four appointments in reserve must not be lost sight of their addition to the 14 posts mentioned in paragraph 4 will give a total of 18, or only 2 below the 1 of the full cadre of 120 for local
- 6. When the number and description of the posts to be placed upon the lists here been determined, the following points will arise for consideration, etc., (1) the pert be attached to three posts when held by members of the Provincial Service, (2) the method of exhibiting the posts in the list of Provincial appointments, and (3) the rules regarding leave and pession to be applicable to the Provincial Service. On the first point, having regard to the results energing from a strict spipulosism of the two-thirds rule, to the character of the duties to be performed, and to the conditions of native society, the Government of India is disposed to think that, the following rules of pay will be found suitable for the higher appointments when held by natives of India :-

7. When scheduled appointments below the grade of District Magnituse and Collector are now held by Mattherry Civilians the operation of the two-thirds rule gives to the unpassed Assistant Re. 250 a month, to the art/2 2nd, and 1st Assistant Magnituses Re. 250, Rs. 448, and Rs. 550 respectively. If such affices were to be kept separate it would probably be sufficient to adde pay at the rale of Rs. 250, 200, 400 and 2600 to listed posts corresponding to unpassed and add the pay of the rale of Rs. 250, 200, 400 and 2600 to listed posts corresponding to unpassed and collectively, and this earle, while so far abolishing the two-thirds rule would enable the Government to incorporate the intel appointment in the grades:

cial Service; if so, the additional posts should be of the Provincial Executive and Judicial Ser-

- 8. There is however no substantial distinction hetween the work of an Assistant Magistrate-Collector and that of a Deputy Magistrate-Collector. All alike are Sub-Divisional Officers. and even now it often happens that a Deputy Collector and Magistrate is placed in charge of an Assistant Magistrate's charge. There is therefore nothing to be gained by retaining the title of Assistant Magistrate when the post is filled or the sub-division administered by an officer of the Provincial Service who would really be neither more nor less than a Deputy Magis-trate. The Governor General in Council therefore suggests that the seven additional appointments of the Sub-Divisional Officer class which it is proposed to open to Provincial officers should be distributed among the various grades of the Deputy Magistrates and Collectors in such manner as may appear equitable, a note being added that these appointments are subject to the conditions noted in paragraph 3 supra, and that when held by members of the Civil Service their designation will be that of Assistant Magistrate. There would thus be a fulfilment of the Secretary of State's instructions to exhibit these appointments on the Provincial Service list, so that the result may be "a connected and graduated series of offices rising from the subordinate classes of administrative business to a very bigh level of superior and responsible duties, judicial and executive, which will throw open a sure and honourable prospect of employment to persons appointed in India, and of continuous promotion to officers of tried merit and ability,"
- 9. Subject to the conditions referred to in the preceding prangraph the Local Government would be competent to appoint members of the Provincial Service to the Assistant Magistrate-Collectors' changes for which Provincial Officers are eligible, without reference either to the Government of Loik or to Statotry Moles, and promotion up to the grade of first class Deputly Magistrate-Collector or first class Subordinate Judge would run in the ordinary way. Whether it is destable that the Local Government should, under: Statutory Rules to be now framed, be competent to appoint to the injets offices, or whether such higher appointments, or any of them, should be much or sanctioned by the Government of India is a point upon which I am to request an expression of the opinion of the Government Commel.
- 10. The list of Provincial Executive and Judicial officers in Bombay would then run as follows:—

APPOINTMENTS MADE OF THE GOVERNMENT OF INDIA UNDER ROLES FRAMED UNDER 38 VICE, CAP. 8, Section 6.

A=Executive, B=Judicial.

z=Kumber of appointments.

Pay.

1.

A—Nugistrate-Collectors (x) ... ... 1,660 B—Civil and Sessions Judges (x) ... ... 1,600 II.

A—Magistrate Cellectors (2) ... 1,2 B—Ciril and Sessions Judges (2) ... 1,2

Officers holding ungroded oppointments.
Execusive.

Kames.	Appointments.	Pay.
,	Meso	*****
141***		
berray	*****	
	JUDICIAL.	
Names,	à ppointments.	Pay.
	****	144,

APPOINTMENTS MADE BY THE LOCAL GOVERNMENT NOT UNDER 33 VICT., CAP. 3.

A.—Deputy Magistrale and Deputy Collecters (s) ... 200
B.—Subordinate Judges (s) ... 200
"A.—Deputy Magistrates and Deputy Collector, Manistrates and Deputy Collector, Manistrates (so Deputy Magistrates or Collector in this grade will be Assistant Magisterices held by Provincial officers.

Note—Of the store (a superiorment in grade IV, (x) in grade VI, (x) in grade VII are subject to the chains of grade VI, (x) in grade VII are subject to the chains of II no fit and completed number of the Twitefall Service in wallable, or if the preposal such administrative needs of the previous copiers is, an Indian Cril Servant and appointed to any of (x) appointments of Deputy Engineers and Deputy Collects in grade VIII.

Officers holding ungraded appointments.
Exscurive.

Names.	Appointments.	Pay.
,		
*****	*****	
******	1000	
J	UDICIAL,	

Names.	Appointments.	Pay.
*****	*1*,,,,	******
	****	

Such a scale as the preceding will combit the Local Government to give promotion from congrate to the other, while if the Assistant Magristrates' charges, when held by Provincial Gloces, were shown separately, promotion would become more difficult. For example, it would seen that a first Assistant Magristrate on a 456—194.

Rs. 600 could get no promotion to the Rs. 700 or Rs. 500 grade of Deputy Magistrates otherwise than by nearing his appointment of Assistant Magestrate, and entering the class of Deputies. It is difficult to see how the retention of the designation Assistant Magistrate for a Provincial officer would secure any protectal advantage, while it would certainly lead to inconvenience.

 With reference to the orders contained in paragraph 22 of the Despatch of 12th September last, I am to request that each statutory civilian appointed in Bombay before the close of 1889 may now be called upon to choose whether he will remain in his present position, or be transferred to the Provincial Service with an acknowledgment of his preferential claims to promotion to scheduled appointments before other members of the Provincial Service. In this connexion it may be well to state that the claims to promotion of a statutory civilian who elects to retain his present position and who has shown the merit and ability necessary to justify his advancement, will only be considered after the claims of civilians whose covenants bear dates previous to that of his confirmation have been satisfied. The admission of the prior claims of civilians recruited before 1880, and after them of preferential claims of fit and competent statutory officers recruited since that year, must be satisfied before any member of the Provincial Service can be appointed to listed ports under the rules now to be framed. The Governor-General in Council will now be glad to learn how the choice has been exercised in each case. It must not be forgotten that the number of

It must not be forgotten that the number of appointments returned to in paraçaph 40 this letter as to be opened from time to tune to the Provincial Services must for the time be reduced to the extent to which statutory civilians decline to join the Provincial Service and in the grade in which such statutory civilians bold offices. But once the olimins of existing statutory officers are satisfied, all offices of the Provincial Service would be placed on the same footing as regards promotion to all grades. In other words, their promotion would be governed by the same rule, namely, soulonity qualified by fines have been all present the property of the provincial to all grades. In other words, their promotion would be governed by the same rule, analey, soulonity qualified by fineshed.

12. With regard to the question of the Leava and Pension Rules to be applicable to officers.

12. With regard to the question of the Leave and Pension Bullets to he applicable to officers holding the appointments under notice, I am to say that the Governor-General in Coautil sees no reason why the present Uncoronanted Service Leave and Pension Rules, or in other words the provisions of Fast III, Cap. XIV. Crill Service Begulations, regarding leave, and of Part IV, Capa. XIV-XIV, regarding pensions, should not apply. Existing statutory circlinas who refuse to join the Brownied Service would continue to be governed by the Leave and Pension Rules now applicable to them.

13. The next step will be to prepare rules to regulate [1] admission to the Provincial Service, and [2] appointment from the Provincial Service to the offices of District Officer or District Judge, and the ungraded appointments to be made ender the Status. These rules should be prepared by the Government of Bombay and sebusitied for the prerious stantion of the Government of Bombay and sebusitied for the prerious stantion of the Government of Bombay and sebusities for the concentration of the grade present of the Government of t

candidates, and on the other to secure the due representation in the public service of the different classes of the community.

14. The Governor in Council will observe that the Secretary of State has declined to sanction the entire cancellation of the orders of April 1879, which in Bombay prohibit the appointment of any one but a native of India to any office in the Executive or Judicial Service carrying a salary of Rs. 200 a month or upwards without the previous sanction of the Secretary of State. If, therefore, the Government of Bombay desires to appoint to such an office a person who is not a statutory native of India, it will still be necessary for it to obtain the previous sanction of the Secretary of State. Such appointments will often in the opinion of the Governor-General in Council be desirable, and he therefore thinks that in the draft rules to regulate admission to the Provincial Service it should be made clear that the orders of 18th April 1879, though they restrict, do not prohibit the appointment of Europeans. It is to be remembered, however, that no European who does not satisfy the definition of native of India contained in section 6, 33 Vict., Cap. 3, is eligible for appointment to any of the scheduled offices opened to the Provincial Service, except in accordance with the procedure prescribed by 24 and 25 Vict., Cap. 54.

The rules regarding the appointment of members of the Provincial Service to scheduled offices under the provisions of the Statute 53 Vict., Cap. 3, must, as directed by the Secretary of State, be drawn in accordance with the Act. They must, therefore, be prescribed by the Governor-General in Conneil and sanctioned by the Secretary of State in Council. With reference to paragraphs 7 and 8 supra, the Provincial officers appointed in the place of Assistant Magistrates will be styled Deputy Magistrates and Collectors and appointed by the Local Government. Whether appointments to higher posts should also be made by the Local Government under rules to be framed under the Statute or by the Government of India on nomination by the Local Government is a question on which, as already stated, the opinion of the Governor in Council is requested. And I am now to ask that rules may be drafted under 33 Vict., Cop. 3, section 6, in accordance with the views of the Governor in Council, and submitted for the consideration of the Governor-General in Council. As it will be unnecessary to maintain for the Provincial Service, which is already a very large one, a reserve for men on leave and in training, such as is maintained for the strictly limited Civil Service and mixed Commissions, provision must be made in the rules for the making of temporary appointments from the Provincial Service to scheduled offices in place of men deputed to other duty or absent on leave. It should also be considered whether officers of the Provincial Service exercising only civil judicial functions should not undergo some period of probation in criminal business before they are appointed to a District and Sessions Judgeship.

16. In pangraph 13 of Mr. Lee-Warner's letter referred to above, the view of the Bombay Government is stated that the line between the Provincial and Subordinate Services might be nade so as to include the officers genetically by Government in the former and those not so greated in the latter. As the Bombay Government is aware, the question of laying down

admits rules as to what officers shall be gausted is under the consideration of the Governmen. India, but the practice in different parts of India varies very much, and until it is until national recognition over 1 and in the rule that gausted officers should belong to the Provincial and nongasted officers to the Subordinate Service would operate very unequally. The Government of the control of the control of the control is not certain that it will be found possible to preserribe a uniform rule regulating the gasteding of officers; and he would therefore be disposed to prefer a rule fairing the line of demarcation between the Provincial and Subordinate Services a concluing to pay, and that all officers drawing pay proper of less than Rs. 200 should be included in the Subordinate Service. I am to ack that if the Governor in Council has no objection this line of division may be adopted.

17. With reference to paragraph 25 of the Despatch of the Government of India, dated 9th Cotober 1888, I am directed to enquire what proposals the Governor in Concell would now make for establishing a Board of Eraumers to test the educational qualifications of candidates for the Provincial Service. It will also be for His Excellency in Council to consider whether any and, if so, what change is required in the existing rules for recruitment of the Sabordinate.

Service.

18. Lastly, I am to invite attention to paragraph 23 of the Government of India's Despatch of the 9th October 1888, and to say that the principle of special selection must be rigidly entorced, on all occessions of appointments made from the Provincial Service to the posts of District Officer, Sessions Judge and the ungraded appointments made under the Statute. I am also to take this opportunity generally to say that the Governor-General in Council fully accepts the 48th recommendation of the Public Service Commission that, inasmuch as the administrative charge of a district involves very responsible duties, the principle of selection should be more completely adopted even when a member of the Indian Civil Service is to be promoted to such office. His Excellency in Council has had occasion, in connection with memorials in which officers have complained of their supersession by juniors in the post of Divisional Commissioner to express his adhesion to the principle that selection and not seniority should govern such high appointments. The principle of selection must be more absolute in respect of such appointment as that of Commissioner than it is in respect of the appointment of District Judge or Magistrate and Collector, but it should be distinctly recognized that mere length of service gives no claim to promotion in the Indian Civil Service above the rank of first Assistant Magistrate, and that no officer should be appointed to the charge of .a district, or to be a District and Sessions Judge who has not in the course of his previous service given distinct evidence that he is fit for such office. I have the honour to be,

Sir,
Your most obedient servent,
A. P. MacDONNELL,
Secretary to the Government of India.

REVENUE DEPARTMENT.

Bombay Castle, 23rd August 1892.
No. 6763.—With the previous sauction of the Governor General in Council, the Governor in Council is pleased to notify that the following

appointments in the Bombay Presidency, to fill which members of the Civil Service of India have hitherto been recruited, shall be appointments to which members of the Bombay Civil Service can properly be appointed, subject to the rules for the time being in force under

33 Vict., Cap. 3, section 6:2 posts of Collector and District Magistrate. 2 posts of District and Sessions Judge.

1 post of Joint Judge and Joint Sessions Judge.

2 posts of Assistant Judge and Sessions Judge. When these posts are held by members of the Bombay Civil Service their pay shall be

as follows:-De Collector and District Magistrate-\*\*\* 1,600 If in the 2nd Grade ... Di\_trict and Sessions Judge— 1.900 If in the 1st Grade If in the 2nd Grade If in the 2nd Grade If in the 3rd Grade 1.600 3,200 ... Joint Judge and Joint Sessions Judge Assistant Judge and Sessions Judge— If in the let Grade 800

If in the 2nd Grade 3. In addition to these appointments the following appointments, for which recruitment has hitherto been made in the Civil Service of India, have been thrown open to the Bombay Civil Service and added to the existing grades of that service :-

ann

600

posts of lat Assistant Collec-1867 3 posts of Deputy Collector and Magistrate, 3rd tor. Grade, on ...
posts of Deputy
Collector and ь 4 prote of Assistant 200 te. Collecoon-Magistrate, 4th Grade, on posts of Deputy Collector and 500 into 2 posts of Assistant Collector, 3 Magistrate, Grade, on Gtb วกก

1 post of Thielddiri Schilement Officer 800
1 post of Regultrar of the High Court 1,200
Note — it costs with the Liouannable the Chief Justice to nominate an olicer for the appointment, subject to any rules and restrictions prescribed by His Excellency the Givernor in

By order of His Excellency the Right Honourable the Governor in Council. T.D. MACKBNZIE Chief Secretary to Government.

#### REVENUE DEPARTMENT.

#### Bombay Castle, 20th November 1995.

No. 9138.-The following rules for admission to the Bombay Provincial Civil Service prescribed by His Excellency the Governor in Council with the approval of the Government of India are published for general information:-

#### Rules for Admission to the Bombay Provincial Civil Service.

I. The Bombay Provincial Civil Service shall be open to all duly quali-Classes of persons eligible. fied subjects of Majesty and of Native Princes in subordinate alliance with Her Majesty who have resided for not less than three years before the date of appointment within the limits of the Bombay Presidency or of States under the political con-trol of His Excellency the Governor in Council: Provided that, in the case of a European not coming within the definition of native of India contained in section 6 of 33 Vict., Cap. 8, the previous sauction of the Government of India must be obtained to his appointment to the Service, and that of the Secretary of State to his

appointment to a listed post. II. The service will be divided into two branches, the Executive Division into Executive comprising about 75, and and Judicial branches. the Judicial comprising

about 125 appointments, as notified from time to time, out of which about 15 in the Executive and about 13 in Judicial brauch will be localised in Sind.

#### EXECUTIVE BRANCH.

## Presidency proper.

III. Vacancies in the Modes of appointment to Executive branch will Executive beauth. ordinarily be filled up by

(a) direct competition; (b) selection among candidates after exam-

ination : (c) promotion of selected officers, who are

already in the subordinate service. Six months' notice will be given in the Government Gazette and

Recruitment by competi-tion and selection after examination. the public newspapers of the number of appointments to be filled up each year by direct competition and by selection

after examination, and of the date fixed for the examination. Admission to the examination will be subject to the following conditions:-

- (i) The age of candidates shall not be less than 21 or more than 25 years on the date to be fixed by Government for the examination. The proofs of age required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service.
- (ii) Candidates must produce satisfactory certificates of-
- (a) physical fitness for the service of Government from the Presidency Medical Board; (b) nationality;
  - from the heads of such (c) character, schools and colleges as they may have attended, or, in the event of their being already in the service of Government, from the head of the department in which they may be employed.

Note. - Conditions (i) and (ii) (a) may 10 related or dis-poneed with in the case of candidates already in the service of Government.

V. The examination will be conducted by a special Board under the The examination. general direction of the

Educational Department of Government. (i) The appointments offered for direct competition will be filled up in accordance with the order of merit determined by the Board and reported to Government as the result

of the examination. (ii) Candidates will be required to satisfy the Board that they have such a knowledge of one of the vernacular languages of the Presidency-Hindustáni, Gujaráti, Marúthi, or Kanarese—as enables them to speak, read, write and translate with facility from the written character into English, and rice rersa.

(iii) The subjects of examination will be as follows:-

# A.-Obligatory,

I.—History and Geography of England and India

II.- Mathematics, including

(1) Arithmetic, up to and including vulgar and decimal fractions, proportion and simple interest: (2) Algebra, up to and including simple

equations;
(3) Euclid, Books I and II.
III.—English literature and composition.

B,-Optional. Not more than three of the following

subjects :-IV .- Natural Science.

Not more than two of the following branches-Chemistry, Electricity, Geology, Botany. V.-- Moral Science-Mental and Moral

Philosophy. VI.-One classical language-Sanskrit, Persian, Arabic, or Latin. VII.—Political Economy.

VIII.—Higher Mathematics. Provence of Sind.

Appointments to the Executive Branch in Sind will also be filled up under the above rules except that the examinations will be conducted at Karáchi by a Board to be appointed by the Commissioner, who will report the results to Government, and that the vernacular language in the case of candidates for appointment by, direct competition or selection after examination will be Sindhi, or Hindustáni.

## JUDICIAL BRANCE.

### Presidency proper.

VII. No candidate will be appointed to the Judicial branch whose Qualification. age is less than 21, or unless he is already in Government service, more than 30 years, and who has not qualified for a Subordinate Judgeship under section 22 of Act XIV of 1869,

and either

- (a) been in full and continuous practice for three years as an advocate, vakil or pleader in a Civil Court :
- OF (b) served for three years as Honorary Assist-ant under the Government Pleader in the Righ Court or in a District Court;

Note.—The Legal Remembrancer will upon application ssign qualified persons as Honorary Assistants to Government

or (c) served with approval for three years in any High Court. of the Courts mar-Presidency Small Cause Court, District Court, ginally noted as Clerk of the Court, Subordinate Court
or Provincial at a Sadar
Smell Cause Station,
Court Head Clerk, Sheristedár, Deputy Sheristedár, Názir, or First Assistant to the Registrar or as

Honorary Assistant under the Registrar or Clerk of the Court;

Or Clerk of the Court;

Note.—Qualified person desting to be employed in a Civil
Court should apply to the Begi trae of the High Court or the
Chief Joige of the Presidency Small Cause Court, or the
District Judge, as the case may be,

- (d) exercised with approval magisterial powers for three years while holding office as a Mámlatdár or Head Kárkún; 01
- (e) performed successively for a continuous period of three consecutive years more than one of the duties specified in clauses (a), (b), (c) and (d).

  Where the candidate has acquired a qualifi-

cation under section 22 of Act XIV of 1869,

otherwise than by practising for five years as an advocate or vakil of the High Court, the period spent in performing the duties specified in clauses (a), (b), (c) and (d) must be wholly subsequent to the acquisition of such qualification.

YIII. Every candidate for appointment shall submit his application to the Private Secretary Application for apointmentto His Excellency the Governor accompanied by

satisfactory certificates-

(a) of nationality (a) or nationality;
 (b) that he is within the prescribed limits of age, the proofs of age being the same as

those required under Rule IV (i); (c) that he is physically fit for the service of Government;

(d) that he is of good moral character;

(e) that he has such a knowledge of one of the vermenilar languages of the Presidency-Guiaráti, Maráthi or Kánarese (or of Hindustáni)-as enables him to speak, read, write and translate with facility from the written character into English and

tice terial.

Note:—The certificate resultanth in (a) must be signed by the Presidency Medical Board and these mentioned in (signed by many bearmed by a Blattic Fingle, by the Othi-Fonling of the Court of Sensol Louises at Donathy, by the President of a College or other institution receptively the Diversery of Regulary, by a Presidence of the Other Other Sensols, by a Presidence of the Other Other Sensols, by a Presidence, or the America Sensols of the Regulary Presidence, or in a Native State, or by the Register of the High Court. IX. In making appointments from among can-

didates qualified under Selection of candidates. clauses (c) and (d) of Rule VII, His Excellency the Governor in Council will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may forspecial reasons seem to him desirable to follow some other course, and except as hereinafter provided, select from among the candidates whose certificates are satisfactory, in order, according to the date on which they severally. according to the date on which they severally, obtained the degree of LLLB, or passed the examination prescribed by the High Court under section 22 of Act XIV of 1889, or were

enrolled as advocates or vakils of the High Court: Provided that (I) any candidate who refuses any appointment, substantive or acting, that may beoffered to him, shall lose his claim to the

next three vacancies; (2) any candidate who has passed an examination before the Central Committee in any of three vernacular languages-Marathi, Gujaráti, or Kánarese - other than his own shall obtain priority over other candidates, not having so passed, who became qualified in the same year under section 22 of Act XIV of 1869.

X. Except in special cases in which His Excellency the Governor Ordinary conditions of in Council may otherwise

order, every candidate will be appointed to the lowest grade of Subor-dinate Judges of the Second Class, and the appointment will be conditional on his passing, within two years, in one of the three vernacular languages other than his own, specified in Rule IX (2), if he has not done so before

appointment. Province of Sind.

XI. No candidate will be appointed to the Judicial branch in Sind. Qualification. whose age is less than 21 or, unless he is already in the Government service, more than 30 years and who is not qualified to practise as an advocate or pleader in all the Courts of Sind, including the Sadar Court.

XII. Every candidate for appointment shall submit his application to Application for appoint the Commissioner in

ment. Sind, accompanied by such cartificates of age, character, nationality, physical liness or other qualifications as may, from time to time, be prescribed by the Commissioner. If called on to do so, the caudidate must satisfy the Commissioner that he is able to read and write both English and Sindli with case and accuracy, and that he has recently been residing for a period of not less than three years in Sind, or in some other part of the Praxidatory of Bombay, or in some province

adjoining Sind.

XIII. In making appointments from among candidates already in Commissioner will be guided in his selection solely by regard to the special merits of the candidates; in other cases be will except when it may, for special reasons, seem desirable to follow some other course and except as hereinatfor provided, select, from among the candidates whose certificates are satisfactory, in order, according to the dates on which they were severally allowed to pracise as advecates or pleaders in the Courts of Sind. I revended that

any candidate who refuses any appointment, substantive or acting, that may
be offered to him, shall lose his claim to
the next three vacancies;

(2) any candidate who during the period of three years referred to in Rule XII has been in full and continuous practice as an advocate, vakil or pleuder in a Civil Court shall obtain priority over other candidates who have not been no employed.

Note.—Should there be a break or breake in the period of three full years owing to illness or absence for any other cases recognized by the Commission, the period of three years may consist of two or more periods preceding or following such break or breaks.

XIV. Except in special cases in which the

Ordinary condition of Commissioner may otherwise order, every candidate will be appointed to the lowest class of Subordinate

Judges in Sind.

XV. A subordiente Judge transferred from

Transfers to Sind Judicial another part of India to Branch. Branch. Sind shall not receive Branch with the period for two years, unless within that period he satisfies the Commissioner that he can talk and understand Sindhi and can read and write it with ease and accuracy.

#### GENERAL RULES,

XVI. Nothing in any of the foregoing rules
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on the part of Government, who reserve the right to vary the rules from time to time, with or without notice, as the public interests may require.

New York of the Control of the Contr

XVIII. After confirmation no member of the Service shall be dismissed, except on the result of a judicial or formal departmental

incoiry.

XIX. Promotion to appointments the salary of which is less than Rs. 500 a month will ordinarily be given eccording to seniority, subject to fitness and approved conduct. Promotion to appointments of which the salary is Rs. 500 a month and upwards will be based solely on fitness and merit, seniority being regarded only when the claims of two or more anadilates of equal fitness and merit come into competition.

XX. Subject to the proviso that no officer Power to transfer at from the Executive to the Judicial branch unless, in the Presidency prope, be is qualified for a Subordisate Judgeship under section 22 of Act XIV of 1820 or in the Province of Sind under Rule XI of those Rules and has completed three years' service under Government, it shall be quen to Covernment, or application or otherwise, to transfer an officer between the Presidency proper and Sind and to determine his position in the branch to which he is transferred.

By order of His Excellency the Governor in Council, J. MONTEATH, Acting Secretary to Government.

LIST A-1.

List of Appointments in the Executive Branch of the Bombay Provincial Civil Service in the Presidency proper.

Becial number of appoint- ment.	Appointment.	Pry, Ropers per mentem,
1	Magistrate and Collector	lis. 1,600 or Re./1,20 acrording as th appointment is take to a Sende or Junior Col
2	10	
э	Tilukdiri Sett)rment Officer	H0
4	Deputy Callector and Maco-trate, 1st Grade,	809
8-6	Two Deputy Collectors and Marris. Irates, 2 d Grade,	710
7-12	Six Deputy Collectors and Hacis- trates, 2nd Grade.	90
13-21	Sixteen Deposty Collectors and Magnetrates, 4th Grade.	500
23~11	Thirteen Deputy Collectors and Magistrates, 5th Gende,	60
42-5)	Ninsteen Deputy Collectes and Marietrates, 6th Grade.	3/0

4.1.0

TAST A-2.

List of Appointments in the Executive Branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial armier of appoint- ment.	Appendment.	Pay. Rupots per sustann.
1	Reputy Collector and Mingistrate, 2nd Grade,	700
2	Deputy Collectors and Magistrates, 3rd Grade.	600
3-6	Four Deputy Collectors and Magis- trains, all Grade.	696
7-10	Four Deputy Collectors and Magis- trates, 5th Grads.	400 .
1115	Fire Deputy Collectors and Magis- traics, 8th Grado.	\$00

LIST B-1.

List of Appointments in the Judicial Branch of the Bomboy Provincial Civil Bervice in the Presidency proper.

Serial number of appoint- ment.	Appointment.	Pay. Rupos per socure
1		Rs. 1,610, Hs. 1 or Rs. 1,993 cording at appointment made to let, or 3rd Gi
3	Da,	Jungestips.
3	Registrar of the High Court, Ap- pellate Side,	1,500
. 4	Judgo of the Small Cause Court, Peters.	900
	Joint Judge and Sessions Judge	500
6	Judge of the Small Cours Court, Ahmodalad,	800
7	Judge of the Small Cause Court at Sugar and Brosch.	800
8-10	Three Subsrdinate Judges, 1st Class, 1st Grade.	600
11-14	Pour Suberdinate Judges, 1st Class and Grade.	, 660
15	Assistant Judge and Sessions Judge.	Es. 000 or Re, secording as appointment to the let or
16	De, →	Grode,
17-24	Eight Subordinate Jugdes, 1st Class 3rd Grade,	610
2843	Nincicon Enterelimate Judges, Inc Class, let Grades,	500
<b>₩</b> —&	Twenty-two Subordinate Judges, to: Clees, 2nd Grado.	200
66-101	Thirty-six Subcodinate Judges, 2m Class, sed Grans-	300
1/2~113	Eleven Substdinate Judges, 2s Class, 4th Grade.	160
	LIST B-2.	

LIST B

List of Appointments in the Judicial Branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appoint- ment.	Appelotuent,	Pay, Roptes per mensem,
1-2	Two Subcedings Judges, Pirst Class.	<b>600</b> .
3-5	Three Subsedicate Judges, Second Class.	. 300 ,
6-10	Five Subordinate Judges, Third Class,	200
2123	Three Subordinate Judges, Fourth	150
-	1 .	1 .

Letter to the Secretary to the Government of India, Home Department, No. 3863, dated the Bombay Provincial Civil Service lays down

that six months' notice will be given in the Government Gazette and the public newspapers

9th June 1898. No. IV of the rules regulating admission to

of the number of appointments to be filled up each year by direct competition and by selection after examination and of the date fixed for the examination, and No. Y (i) of the rules lays down that the appointments offered for direct competition will be filled up in accordance with the order of merit determined by a Special Board of Examiners and reported to Government as the result of the examination. The intention of these rules is that certain anticipated vacancies shall be set apart to be filled up by competition and to those vacancies the successful candidates shall at once be appointed subject only to the probationary period of two years and the passing of the Departmental Examinations as provided in No. XVII of the rules. This system is inconvenient because in the first place, it is never easy—sometimes it is impossible—to say with any degree of certainty six months beforehand that there will be vacancies available. and secondly, the result of appointing successful competitors to Deputy Collectorships is that the offices intended to be held by men who can do the work of a Deputy Collector are actually held by men who cannot do it. The candidates who came out successful at the Provincial Civil Service Examination held in year 1897 have now been in service for the last 14 months and it appears that although the successful competitors draw the salaries of Deputy. Collectors they are unfit for want of experience and training to perform the duties and other offices have to be provided by the erection of special temporary appointments. His Excellency the Governor in Council therefore thinks that in order to meet the difficulty the probationers appointed by competitive examination should form a separate class altogether outside of, and in addition to, the Deputy Collector cadre receiving a salary of Rs. 200 per mensem, and that these probationers should hold these appointments until

(1) they have passed both the Lower and Higher Standard Departmental Examinations, (2) they have shown themselves qualified for such magisterial powers as Government may consider essential as a preliminary to

appointment as Deputy Collectors, and (3) until permanent vacancies have occurred in the list of Deputy Collectors and the pro-

bationers have been appointed thereto. 2. I am accordingly to request that you will be so good as to move the Government of India to accord their sanction to the above proposal. I am to add that if the proposal is sanctioned steps will be taken to modify the rules in that respect.

Letter from the Government of India, Home Department, No. 1771, dated 2nd September

I am directed to acknowledge the receipt of Mr. Monteath's letter No. \$858, dated the 9th Jone 1898, on the subject of the present system prescribed by the rules regulating admission into the Bombay Provincial Civil Service under which successful competitors after competitive examination are at once appointed to the lowest grade

of Deputy Collectors, subject only to the pro-bationary period of two years and the passing of

the Departmental Examinations, the Government of Bombay coosider this system inconvenient, because in the first place, it is never easy sometimes it is impossible—to say with any degree of certainty beforehand that there will be vacancies available and, secondly, the result of appointing successful competitors to Deputy Collectorships is that the offices intended to be held by the men who can do the work are actually held by men who, being untrained, cannot do it. The Governor in Council proposes therefore that the probationers appointed by competitive examination should form a separate class altogether outside of, and in addition to the Deputy Collector cadre, and that these pro-bationers should receive a slary of Rs. 200 a month until such time as they have possed the Departmental Examinations and have shown themselves qualified for such magisterial powers as Government may consider essential as a preliminary to appointment as Deputy Collectors and until permanent vacancies have occurred in the list of Deputy Collectors and probationers

the rise of Depuly Conceases has procured as the result of the concentration of the concentra

3. The financial offect of the proposals requires further consideration. The present grade of Rs. 300 includes provision for a certain number of Depoty Collectors not fully qualified, and I am to inquire whether the Government of Bombay propose to reduce its numbers concurrently with introducing the lower probationary grade. I am also to inquire how many appointments the Governon in Concult proposes to fix as the maximum of the row grade, because, if the total number of the total will exceed Bz. 25,000, the scheme will require the sametion of Her Majesty's Secretary of Stephen.

Letter to the Government of India, Home Department, No. 885, dated 3rd February 1899.

I am directed to reply to Mr. Lusou's letter No. 1772, dated the 2nd Soptember last, regarding the creation of probationary appointments to be held by successful competitors at the examination for admission into the Bombay Provincial Civil Service.

 The Government of India have accepted the proposals of this Government in principle but have questioned the necessity of paying so much as its, 200 a month throughout the period of probation, and lower emoluments have been

suggested. The Governor in Council is inclined to doubt whether, having regard to the expense of living in this Presidency and the legitimate expectations of successful cardidates for the Provincial Service, its. 150 is not the lowest pay on which such a candidate ought to start. He therefore proposes that the pay of probationers should be Rs. 15.7 for the first year, after that Rs. 175 until they pass the Higher Standard and after that Rs. 200 until they obtain an appointment in the Provincial Service. In the most favourable event that can arise, probationers may pass their Lower Standard in six months and their Higher Standard in twelve months. The maximum number of probationers for whom allowance need be made is four-two first-year's probationers on pay of Rs. 150 for six months and Rs. 175 for six months, two second-year's proba-tioners on Rs. 200. The probationers would be employed much in the same way as newly joined members of the Indian Civil Service, and a certain expenditure would be required on travelthing allowance, temporary establishment and contingencies, which the Governor in Conneil estimate at Rs. 500 in round number per probationer for the first year and Rs. 1,000 per candidate for the second. The maximum total expenditure entailed would therefore be as follows :-

The expenditure required amounts therefore to less than half the sum of its. 25,000 for which the sauction of the Secretary of State is neces-

With reference to paragraph 3 of the letter under roply, I am to state that the lowest grade of Deputy Collectors does not, as appears to be supposed by the Government of India, include provision for a certain number of Deputy Collectors not fully qualified. There are nine-teen appointments in this grade-sixteen are appointments sanctioned prior to the creation of the Bombay Provincial Service and three are appointments transferred to that service from the Indian Civil Service. The sixteen were always and are still appointments intended to be held by fully qualified Deputy Collectors. The other three are also appointments intended to be held by fully qualified Deputy Collectors; for the appointments transferred from the Indian Civil Service to the Bombay Provincial Civil Service do not include any provision for officers on leave or in training. The number of Indian Civilians recruited is reduced by 27-5 per cent, to provide for officers on leave and in training, and it is on the reduced number that a calculation is made of the number of posts to be transferred from the Indian Civil Service to the Bombay Provincial Civil Service. In the Indian Civil Service five men are provided for \$625 posts; in the Bombay Provincial Civil Service the number of officers provided is the same as the number of posts to be tilled. None of the officers are supposed to be in training, and in the places of all who proceed on leave, men are appointed to act from outside the Bombay Provincial Civil Service. Up to the present these acting vacancies have usually been filled by Mamlatdars. The probationary appointments

now proposed to be made and the expenditureinvolved are therefore additions to the cadre and scale of expenditure now sanctioned for the Provincial Civil Service.

Letter from the Government of India, Home Department, No. 443, dated 21st July 1900.

I am directed to refer to the correspondence ending with your letter No. 8819, dated the 8th December 1899, regarding the creation of a grade of probationers for admission into the Bombay Provincial Civil Service.

2. In Mr. Monteath's letter No. 3863, dated the 9th June 1898, the Government of Bombay proposed that the probationers appointed to the Executive branch of the Provincial Civil Service by competitive examination should form a separate class altogether outside of, and in addition to, the cadre of Deputy Collectors; and that they should receive a salary of Rs. 200 a month, until such time as they passed the Departmental Examinations and showed themselves qualified for such magisterial powers as the Government might consider essential as a proliminary to appointment as Deputy Collectors and until permanent vacancies occurred in the list of Deputy Collectors and the probationers had been appointed thereto. In Home Department letter No. 1771, dated the 2nd September 1898, the Government of India accepted in principle the proposals of the Government of Bombay, but expressed a doubt whether so high a pay as Rs. 200 a month throughout the term of probation was necessary, and suggested for the consideration of the Governor in Council that a probationer should receive a pay of Re. 100 a month for the first six months and then Rs. 150 a month till the Departmental Examination by the Lower Standard was passed, after which he might be allowed Rs. 200 a month; the Government of India also enquired whether the Local Government proposed to reduce the numbers in the present grade of Rs. 300 concurrently with introducing the lower probationary grade.

3. In your latter No. 985, dated the 3rd February 1989, it is urged that having regard to the expense of living in the Bonney Presidency and the legitimate expectations of successful candidates for the Provincial Service the lowest pay of the probationer should not be less than it. 19 a month. The Government of Bonnhy accordingly recommended that the pay of probationer should be Re. 190 a month for the first year, them Rs. 175 a month until four pays of probationer should be Rs. 190 a month for the first year, them Rs. 175 a month until they pass the Departmental Emmission by the Higher Standard, and after that Rs. 200 a month until they are appointed to the Provincial Service. It is stated that the maximum number of appointments of all four, the cost of which including threeling allowance, temporary establishments and contingencies is put

porary estandsuments and consequence of the Re II/60 a year.

4. In reply I am to say that having regard to the facts that the pay of the lowest grade of Deputy Collectors in the Bomboy Presidency is Re. 360 a month disreview in India, and that the coder of the Bombay Provincial Service, as explained mangeaph 8 of your letter dated the 3rd February 1899, does not contain previation for me on in training, the Governor-General. in, Council sanctions the revised

proposals of the Government of Bombay as detailed in that letter.

6. I am to take this opportunity to enclose, for the consideration of the part of Sate, No. 110, by a Sate, No. 120, by a Sate

that His Lordship has sanctioned the introduction of an important scheme for the re-organization of the Executive branch of the Bengal Provincial Service. The main feature of this scheme is that it creates a self-contained service so constituted as to include provision for all the ordinary work which Deputy Magistrates are called upon to perform, as well as for leave vacancies. Such a scheme obviates the hardship caused by the appointment of officiating Deputy Collectors at the bottom of the list. If such officers have substantive appointments in other branches of the public service, which does not however-appear to be always the case, they are not prejudicially affected as regards leave and pension, but the persons appointed to act in their original appointments are probably so affected. I am to enquire whether the Governor in Council is disposed to recommend a re-organization of the Executive branch of the Provincial Service in the Bombay Presidency on the lines adopted for-Bengal. If so, I am to request that a list of the appointments considered necessary may be drawn

up and submitted for the consideration of the Government of India, regard being bad to the 18th January 1800.

held by the members of the Indian Giril Service in the Bombay Presidency. This list with the addition of 10 per cent, as in Bengal, to the number of appointments shown therein, to provide for leave veacuries, will constitute the Bombay Provincial Civil Service Executive

Branch.

6. I am to explain that the increase effected last year in the strength of the Breentire branch of the Bengal Provincial Service, so as to constitute a self-continued sorvice, only judirectly led to increased cost, such increase being date to the three officiating and substantive protespers Deputy Collectors being rendered able to count their service towards learse and pension. The increased expectations for the re-organization of the Bombay Provincial Service should be smithly restricted.

7. Knully, I am to say that any proposals, which the Government of Bouloay desire to submit for the consideration of the Government of India in accordance with the suggestions contained in this letter should be accompanied by a proposition statement duly verified by the Accountant-General.

Letter to the Government of India, Rome Department, No. 5816, dated 19th September 1900.

I am directed to acknowledge the roceipt of Mr. Heneti's letter No. 448, dated 21st July 1900. In the communication under reply sauction is conveyed to the proposals of this determment respecting the status and pay of probationers eatering the Provincial Secreto by

competitive examination. Inquiry is also made whether the Governor in Council is disposed to adopt a scheme for the re-organization of the service on the model of that introduced into

Bengal.

2. I am to state that in the opinion of the Governon in Gounell the conditions of service in this Presidency do not necessitate such a scheme. As the Governo-General in Connell is suare permanent vacancies in the Provincial Civil Service are at present filled in three ways, etc., by competition, by selection after examination, and by parament promotion from the subordinate service; officiating vacancies are all filled by temporary promotion from that service, and the difficulties which here been experienced in Bengal are a thoughten unknown. In the opinion of this Government no alteration in the existing system is, for the present at least, desirable.
3. The Governor in Quantic considers that hy

selection for officiating promotion to the rank of Deputy Collector of the most deserving members of the subordinate service, Government obtain a valuable test of fitness for permanent appointment to higher and more responsible functions. The effect of the system also is to attract to the subordinate service a superior class of candidate; and already the Mamlatdars of the Presidency are for the most part university graduates. It may be questioned whether the best educated class such as graduates of the university would be induced to enter the subordinate service at all if there were no prospect of promotion to the Provincial Service for mea of proved merit and capacity. By means of the recently introduced competitive system the Provincial Service is now opened to direct entry by young men of high intellectual attainment; but the Governor in Council considers it is advisable to give a longer trial to the system on its present somewhat restricted basis before making it practically the sole door by which the Provincial Service can be entered. It requires to be proved whether competition has given, or may be expected to give, the right class of men for the duties of a district officer. At the same time the existence of the competitive system side by side with that of promotion from the sub-ordinate service and the consequent reduction of the number of appointments filled by such promotion, have the effect of reducing to a minimum, or perhaps it might be said of altogether Collector by mere seniority, and provide a guarantee that subordinates promoted to the Provincial Service are each and every one carefully selected on account of merit and merit

4. Having regard to the solid advantages above enumerated the Governor in Connect destries, technor making any change, to we for some time longer the working of the existing mixed system of composition, selection and promotion.

#### REVENUE DEPARTMENT.

#### Bombay Castle, 2nd February 1912.

No. 1112—His Excellency the Governor in Council is pleased to prescribe the foll-wing rules for regulating admission to, and promotion in the Bombay Provincial Civil Service in supersession of all previous rules on the subject:— Revited Rules for admission to, and proportion in, the Bombay Proxincial Civil Service.

I.—The Bombay Frorincial Civil Service shall be open to all subjects of Classes of percess slights— His Majesty and of a Natire State or Frince in India under the same state of the State of the State of the State of the State of the State of appointment within the limits of the Bombay Fresidency or of States under the political coatrol of His Excellency the Governor in Coamil: Provided that, in the case of a European not coming within the definition of matries of India continued in section 6 of 32 Viceria, Chapter 3, the provious sanction of the Government of India must be obtained to his appointment to the service, and that of the Scerntary of State to his appointment to a listed post.

Reties in Executive and the Executive and the sal salidal bands. Parkets branch is sub-divided bentles, Judicial. The Executive is sub-divided lectors, and the Lower Division, including Depoty Collectors, and the Lower Division, including Manulatides and District Inspectors of Land Records in the Presidency proper. In the Upper Division in the Executive branch there are about \$4\$ appointments, in the Lower Division about 19° appointments, and in the Judicial branch about 128 appointments as may be notified from time to time, of which about 25° in the Freestive branch, Upper Division, and about 17° in the Judicial branch will be localized in Eind.

11.-The service is divided into two branches-

State—Admission of Mindatdirs to the Provincial Civil Service shall not nor or give then any claim for prumotion to the rank of Departy Collectors, such promotion bring made by Generament rigidly by selection as heresolore.

#### EXECUTIVE BRANCH.—(UPPER DIVISION).

#### Presidency proper and Sind.

Modes of appointment to Executive branch, Upper ordinarily be filled up by—

(a) selection of persons of high educational qualifications who are not already in Government service;

(b) promotion of selected officers who are already in the Lower Division, Presidency proper, and the sabordinate service in Sind. IV.—Notice will be given in the Garcaneat Gazette of the number of

Becruitment by relection appointments to be filled by selection and of the latest date for receipt of applications. Appli-

cauts must produce orbitouce.

(i) that they will be above 2) and below 25 years of age on the cate abovementioned and that they are eligible for appointment under rule 1 above; the proofs of age and nationality required will be the same as under the rules?

"Note.—The following or, the other for the insection rile frates of age and individity to Natures of Italia who are confidence for the examination for the L.C.S. field in England:—

No 464

GOVERNMENT OF INDIA How Paper y No Englished to the Sorth Co. 19 to the y 15,00 North Strings.

The Governor teneral in Concil is the will to publish the following as a to be saled and if for date VII and XI of the rules published in Home Repairment Satisfaction No. 1255.

approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service;

(ii) as to the University degrees or other educational distinctions gained by them;

(iii) as to their proficiency and continct in the shape of certificates from the heads of such educational institutions as they may have attended, provided that a candidate who has attended a college must produce a certificate from the principal of such college

Y.—Every selected candidate will be required to satisfy Government, after a special medical examination to be conducted by the Medical Board of the Presidency, that he is in all respects
physically fitted for the performance of the
doties required of an officer holding any appointment in this division of the Executive branch of the Provincial Service.

VI.-Every probationer appointed by selec-

Probationers in the Execution under rule III (a) will be required to go through the course of equitation and obtain the certificate of proficiency, and to pass the tests prescribed for junior members of the Indian Civil Service, viz., the Lower and Higher Standard Departmental Examinations, including an exam-Department and Examinations, inclining an examination in the language of the district to which he is posted. The Collector of the district to which he is appointed will afford him every necessary facility for acquiring a thorough insight

into his duties. Except for special reasons such probationer will not raceive permanent charge of a taluka nor be invested with magisterial powers until he shall have passed the Departmental Examination, Lower Standard, After the period of two years prescribed such probationer will ordinarily be appointed to the

detal Rie August 1886 (wysklished at pages 750 and 761 of 1845 of the fineley Generalized Genetic, detal 300 August 1845 (of the fineley Generalized Genetic, detal 300 August 1845) (or fineley Genetic, detal 300 August 1846), at pages 1846 to 856 of Part I of the Bowley Generalized Genetic, dailed 1846 inters, for this toward confidence of any and malingalized Nations of India who are considerate for the examinations for the Radius (1846 Service deld in England —

VII.—If the Secretary to Government, Commissioner of a Division, or the highest Political Officer accomplish to the State. Division, or the highest Petition! Officer scenarios for the State, as the case may be, shall be satisfied by the papers such that the contribute has the contribute has stated the date and place of the little that the contribute has stated the date and place of the little has stated has stated has stated has stated has stated has been contributed by proof at the little to the highlighted the man the little distinct on the State, as the man my log distinct on the Children (officer of the State, as the man of the state of the little has been as turning here or evaluate the fields state that he was attentily here or evaluate the fields state of the s

18 , st , a place within Her Majesty's Dominium. The nature of the evidence produced by the annihiste must be stated in the certificate, which shall be given

in the following form :-

n con sourcemp term . who can be submitted to be condition to the Indian Civil Service, has submitted the secondates for the Indian Civil Service, and has emissionately shown proved or this little detailed; below, and has emissionately shown on the condition of the state, i.e., the basis was extended between or whench the latter stated, v.e., the first term of 18 and the state of 18

I (Ben cater deinke)

XI.—I ils Stretcher to Government, Commissione of a Deviction, or the highest Nobless (Olives morefilled to his State) copies, or the highest Nobless (Olives morefilled to his State) that the conflicte has the conflict to the state of the stat

a place

without Her Majorty's Dominious, but that he is the grands:

of a person born in these deminions, 2[Ment water details.]

first vacancy occurring in the cadre of Deputy Collectors. His pay will be for the first year of Collectors. His pay will be—for the mrss year of the probationary period Rs. 150 per menters, then until he passes the Departmental Examination, Higher Standard, Rs. 175 per messem, and after that Rs. 200 per measers, until he obtains a sub-stantive appointment in the Provincial Service. Note.—In any case in which the vernapular of the district to which a probationer may be appointed in his own language, be is not required to pass in that retneeder.

## EXECUTIVE BRANCH, -(LOWER DIVISION), Presidency proper.

VII.-Vacancies in this branch will ordinarily

be filled by selection from qualified members Mode of appointment. of the Subordinate Revenue Service, Upper Branch, on consideration of merit, seniority and public expediency. Not less than one-half of the appointments will be reserved for persons specified in rule 4 (a) of the rules for the Subordinate Revenue Service (Upper Branch), sanctioned in Government Notification No. 6970, dated 4th Government regulations for your and Angust 1910. Appointments and promotions will be made by Commissioners of Divisions, Promotion to the second and first grades of Manlatdars will be given more in consideration of proved merit and capacity than of seniority.

VII-1.—The Commissioners are empowered

to sanction, at their discretion, for special reasons or to meet special emergencies, appoinments and promotions otherwise than in accordance with

the above rule.

## JUDICIAL BRANCH.

Presidency proper.

VIII.—No candidate will be appointed to the

Judicial branch whose

Qualification. " Note. -The provision in this rule to the effect that no posts in Government service in any department except the qualifying ones referred to in clauses (e) and (d) of the role should be hold to exempt a candidate for appointment to the Judi-cial branch from the optracan be such from the opera-tion of the limit of age of thirty years had shown in the rule will not have represented effect previous to 22nd May 1305."

age is less than 21, or, unless he is already in permanent and pensionable Government service and is holding one of the posts (other than an honorary one) referred to in clauses (c) and (d) of this rule more than 30 years, and who has not qualified for a Subordinate Judgeship under section 22 of the Bombay

Civil Courts Act, 1869, as amended by the Bom-bay Civil Courts Act Amendment Act, 1895, and either

(a) been in full and continuous practice for three years as an advocate, vakil or pleader : in a Civil Court;

Ob. (b) served for three years as Honorary Assistant under the Government Pleader in the High Court or in a District Court;

Note.—The Legal Remembrature will, upon applica-tion, assign qualified persons as Honorary Assistants to Government Pleaders.

(c) served with approval for three years: (i) as a salaried Interpreter in the High Court or the Presidency Small Cause Court or (i) as Clerk of the Court, Head Clerk, Shirasteddr Deputy Sharisteddr, Nazir or First Assistant to the Registrar or as Honorary Assistant under the Registrar or

High Court.
Presidency Small Cause Court.
District Court.
Schorlinste Court of at a Sadar
Provincial Small Station.

Clerk of the Court in any of the Courts marginally noted, or (iii) as clerk in an

office of Government where legal knowledge in one or more clerks is ruled by Government to be indispensable, such office or officers and the number of clerkships which qualify being notified from time to time;

Motified from some or source;

Met (1)—(sufficied persons denting to be employed in a Giril Court should apply to the Register of the High Court of the Older Jodge of the Pecklesory Smill Cause Court or the District Jedgoes the case may be Mote (2)—Persons employed as celebra in an efficiency will one cappenent receive from the head of the offices a confident that they have been expected for service in an experimentar where legal incomblets in required and that the services in the Giros will cell the registration of Giros will cell the restricts in the Giros will celling the complete and that the restricts in the Giros will celling the complete and that their services in the Giros will celling the cells of the for Subordinate Judgeship;

(d) exercised with approval magisterial powers for three years while holding office as Mámlatdár or Head Kárkún;

(e) performed successively for a continuous period of three consecutive years more than one of the duties specified in clauses (a), (b),

(c) and (d).

Where the candidate has acquired a quali-fication under section 22 of the Bombay Civil Courts Act, 1869, as amended by the Bombay Civil Courts Act Amendment Act, 1895, otherwise than by practising for five years as an advocate or valid of the High Court, the period spent in performing the duties speci-fied in clauses (a), (b), (c) and (d) must be wholly subsequent to the acquisition of such qualification.

IX.—Every candidate for appointment shall submit his application to the Private Secretary to His Excellency the

Governor, accompanied by proofs of nationality and age similar to those required by rule IV (i) and by certificates-

(a) that he is physically fit for the service of Government;

(b) that he is of good moral character:

(c) that he has such a knowledge of one of the vernacular languages of the Presidency -Gujaráti, Maráthi or Kánarese (or of Hindustani)—as enable him to speak, read, write and translate with facility from the written character into English and vice versa

umarutors was Engrish and eite erric.

Net.—The ceitiste menticet in je want he igned by a
Gril Michel Officer or by a Model Officer in cleany of a
ordi attact to be use of datablates varieting in the metrant,
ordi attact to be use of datablates varieting in the metrant,
cushlitate reciting in the Presidency Thera: such these
mentices in (b) and c) may be signed as Parietir Ingle,
by the Okal Judge of the Court of Small Cusses at Bendry,
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by the Okal Judge of the Court of Small Cusses at Bendry,
Okac Defended of Small Court of the Small Recognizer in a Static State, or by
the Register of this Okean.

X.—In making appointments from among candidates qualified Eclection of candidates. under clauses (c) and (d) of rule VIII, His Excellency the Governor in Council will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may, for special reasons, seem to him desirable to follow some other course and except as hereinafter provided, select from among the candidates whose certificates are satisfactory, in order, according to the dates on which they severally obtained the degree of LL.B., or passed the examination prescribed by the High Court under section 22 of Act XIV of 1869 or were enrolled as advocates or vakils of the High Court: Provided that-

(1) any candidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;

(2) any candidate who has passed an examination before the Civil and Military Bramination Committee in any of the three vernacular languages—Maráthi, Gujaráti or Kánarese-other than his own, shall obtain priority over other candidates not having so passed, who became qualified in the same year under section 22 of Act XIV of 1869.

Note,—Government sertants who have passed the High Coart Pleader's or the LLB. Examination and desire to qualify under the slowe clears for a Substitute Judgeship any pass an examination in versuscellar language before the Criti and Military Examination Committee with the previous permission of Government.

XI.-Except in special cases in which His Excellency the Governor Ordinary conditions of in Conneil may otherwise order, every candi-

date will be appointed to the lowest grade of Subordinate Judges of the Second Class, and the appointment will be conditional on his passing, within two years, in one of the three vernacular languages other than his own specified in rule X (2), if he has not done so before appointment.

#### Province of Sind.

XII.-No candidate will be appointed to the Judicial branch in Sind Cuslification, whose age is less than

21 or, unless he is already in the Government service, more than 30 years, and who is not qualified to practise as an advocate or pleader in all the Courts of Sind, including the Sadar

XIII.—Every candidate for appointment shall submit his application Application for appointment to the Commissioner in Sind, accompanied by such certificates of age, character, nationality, physical fitness or other qualification as may, from time to time, be prescribed by the Commissioner. If called on to do so the candidate must satisfy the Commissioner that he is able to read and write both English and Sindhi with case and accuracy and that he has recently been residing for a period of not less then three years in Sind, or in some other part of the Presidency of Bombay, or in some province adjoining Sind.

XIV .- In making appointments from among candidates already in Selection of candidates. Government service, the Commissioner will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may, for special reasons, seem desirable to follow some other course and except as hereinafter provided, select from among the caudidates . whose certificates are satisfactory, in order, according to the dates on which they were severally allowed to practise as advocates or pleaders in the Courts of Sind: Provided that-

(1) any caudidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;

(2) any candidate who during the period of three years referred to ni role XIII has been in fall and continuous practice as an advocate vakil or pleader in Civil Court, shall obtain priority over other candidates who have not been so employed.

Note.—Should there he a break or breaks in the period of three full years oring to illness or absence from any other cause recognized by the Commissioner, the period of three years may consist of two or more periods preceding or following such break or breaks:

XV.—Except in special cases in which the Commissioner may otherwise order, every appointment candidate will be appointed to the lowest class of Subordinate

Judges in Sind.

XVI.—A Subordinate Judge transferred from
Transfer to Sad Judicial
Sind shall not receive
after he has been there for two years, unless
within that period he satisfies the Commissionise
that he can talk and understand Sindhi and can

# read and write it with case and accuracy. General Rules.

XVII.—Nothing in any of the foregoing rules shall prevent His ExExerptional and temporary cellency the Governor in Council or the Commis-

sioner in Sind, as the case may be, from appointing in exceptional cases any person whom they consider to be specially qualified to the Executive branch, Upper Division, or Judicial branch of the Provincial Service by nomination pure and simple, nor from making such arrangements for carrying on the daties of officers temporarily as an angagement, on his part of Government who reserve the right to vary the rules from line to time with or without notice, as the public interests may require.

XVIII.—Unless otherwise expressly directed

Probation. every appointment to
Provincial Civil
Service shall be probationary for two years, and
until the probationer has possed the Depart-

Service shall be probationary for two years, and until the probationer has possed the Departmental Examinations, if any, prescribed for the branch to which he belongs. XIX.—After confirmation no member of the

Diminisal. Service shall be dismissed except on the result of a judicial or formal departmental inquiry.

XX.—Promotion to appointments, the salary pressules, of which is less than Pressules, Rs. 500 a month, will ordinarily be given according to seniority subject to fitness and approved conduct., Promotion to appointments, of which the salary is Rs. 500 a month and upwards, will be hased solely on fitness and merit, seniority being regarded only when the claims of two or more candidates of equal fitness and merit came into competition.

XXI.—Subject to the provise that no officeainal he transferred from the Excentive to the Judicial branch unless in the Presidency proper, he is qualified for a Subordinate Judgeship under ception 22 of Act XIV of 1886 or in the Province of Sind under rule XII of these rules and has complicted three years' service under Government, it shall be open so Government, on explication or otherwise, to trustier an officer between the Presidency proper and Sind and Irom one branch of the service to the other, and to determine his, petition in the branch to which he is transferred. LIST A-I.

List of appointments open to members of the Bombay Provincial Civil Service (Executive branch, Upper Division) of the whole Presidence including vival.

1 Mapierrice and Collector  1 De. do	Serial comber of oppoint- ment.	Appolatment,	Pay. Ropes per mestes.
5 Talladeri Setti-ment Olicer	, .	Magistrate unit Collector	appointment is appointment is made to a Senior or Sunlor Dellector-
6—5 Two Pepply Collectors and Magis (50) 6—6 Throw Deptly Collectors and Magis (70) 7 Throw Deptly Collectors and Magis (70) 7 Throw Deptly Collectors and Magis (70) 7 Two Open Collectors (70) 7 Two Open Collec	3	Do. do	stilp.
croke, 54 Grade.  Then Disapproxy Collectors and Magis- render, Mai Grade.  1-1-27 collectors and Magis- render, Mai Grade.  1-2-37 collectors and Magis- tone, 1-2-37 collectors and  Magistrate, 418 Grade.  Magistrate, 418	8	Talekdiri Seli lement Officer	Es. 800
6-6 Theo Beauty Collectors and Marji- 700 71-18 Step, and Grade. 18-17 Step of State of Marjie 18-27 Step of State of Marjie 18-27 Twenty-lave Display Collectors and 18-27 Twenty-lave Display Collectors and 18-28 Step of State of State of State of State 18-28 Step of State	4-5	Two Deputy Collectors and Magis	,, 800
9-15 Str Deputy referents and Magis- 13-91 Street, 5rd Grade. Twenty-three Deputy Collectors and Magistrates, 4th Grade. Trenty-three Deputy Collectors and Grade Trenty-three Deputy Collectors and Grade Trenty-three Deputy Collectors and Grade Trenty-four trenty Collectors and	68	Three Deputy Collectors and Maris	700
15-37. Twenty-three Deputy Collectors and 500 Magistrates, 4th Brade.  38-60 Twenty-three Deputy Collectors and Magistratus, 5th Grade.  60-81 Twenty-three three Collectors and Magistratus, 5th Grade.	9-14	See Benuty Collectors and Maple	, 800
SS-50 Twenty-three Deputy Collectors and , 400 Magnitrates, 5th Grade. GL-SA Twenty-fourt Collectors and , 200	15-37 .	Twenty-three Bennty Callentons and	, 600
Gl-St Tacuty-fourt Cuputy Collectors and 900	58-60	Twenty-three Doputy Collectors an-	, 400
	@~-81	Twenty-fourt Coputy Collectors and	800

\*This number will be raised to 7 after the post of a Piret Assistant now held by a statutory civilized is trocked by him.

I industrie of a past of the Grade Deputy Collector to be filled up on the formation of the Kawakakuh Dicktlet.

# LIST A-2.

List of appointments in the Executive branch, Lower Division, of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appoint- ment	Appointment.			. }	Pay. Ropers pro monten.
1-28	Trenty-nine N	lámlatdá	ns, Ist G	žrade	·Rs. 250
80-63	Thirty-four	do.	.2zd	da	255
64-103	Thirty-nine	đo.	2ed	đa	200
163-167	Forty-five	de.	šib	60	. 175
148-197	Fifty	do.	· 6th	do	180

#### LIST B-1.

List of appointments in the Judicial bronel of the Bombay Provincial Civil Service in the Presidency proper.

	emend Profess	
Serial number of appoint- ment.	Appointment,	Pay Ropos per rieuem,
1	District and Seedons Judgo	Rs. 1,600 or Rs. 1,200 according as the apprintment is
	Do, do,	
4	Judge of the Small Cause Court, Phone, Judge of the Small Cause Court,	Re. 500
	Alimolahod. Judge of the Small Cause Court, at Sorat.	960
7-0 (0-18	Three rub adjusts Judges, Jet Class, set Grave. Four Schoolingto Judges, Jet Class, 2nd Gr de.	
16 16	Assistant Judge and Bresions Judge	les one or son an cordinir as the associational is to the let or said
. 16 (7-28	Do. du Ten S birdinate Judges; Ist Class	Grade
2745 4668	Ai green Subordingte Judges, 2nd Class; let Stade Throat theres Schoolingte Judges	,, 400
88 - 103 104 - 318	2 of thises, 2nd Grade. There, fire inhordments Judges, 200 tors, and Grade. There is Substitute. There is Substitute.	, 200 g
109-319	Class, 4th Grade.	250

LIST B-2.

List of appointments in the Judicial branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appoint- secut.	Appointment	Pay. Eupère pre sect-rus
		II+,
1	One Rebordinate Judge, 1st Class	200
2	Ist Grade.  One Soboritoute Judge, 1-1 Clare.  2nd Grade.	639
3	One Subordinate Judge, Lt Class, Sed Grade.	500
4-5	Two Superviseds Judges, 2nd Class, 1st Grade.	400
6-9	Four Subordinate Judges, 2nd Clare, 2nd Grade.	300
10-11	Fire Subonlinete Judges, 2nd Class, 3rd Grade	2 10
15-17	Three Subtedinate Judges, 2nd Class, 4th Gaute.	150

(Nos. 1046-1058)

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 19th August 1910, RESOLUTION.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their report on the subject of framing rules for the recruitment of Provincial Services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based,

2. In the present resolution the Governor-General in Council proposes to deal only with the Provincial Civil Services (Executive and Judicial). The case of other Provincial Services

will be separately considered.

The present system under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the Provincial Civil Services was introduced in 1892 as the result of the report of the Public Service Commission, Governor-General in Council has now decided to accept in substance the recommendation of the Decembralization Commission and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the Provincial Civil Services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service

Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection as follows:-

I .- The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different

classes of the community.

II.—Every candidate for appointment by cruitment must furnish satisfactory recruitment (a) that he is not over 25 years of age, except in the case of barristers, advocates

or pleaders appointed to the Judicial branch :

these excepted cases will be governed by Article 51 of the Civil Service Regulations; (b) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one,

involving a thorough knowledge of the language and ability to write and read the written character with facility; (c) that he is of sound health, good

physique and active habits; and (d) that he is of good character.

III .- Every person appointed to the provincial Civil Service by direct recruitment shall he subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or

training to be unnecessary.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in

other respects.

V.-Admission to the Provincial Civil Service should usually be confined to pursons who are natives of the province or have delinitely settled in it . in the case of candidates who are not natives of the province recent residence of at least three years in the province should. as a general rule, be an essential condition of admission. No barrister, advocate or pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular. VI.-Europeans who are not statutory

natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Govern-

ment of India.

VII.-The Local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher

VIII.-The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Services, and whenever

н 495-125

the Government of India exercise this power in the case of judicial officers, it will be confined to barristers, advocates or pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX.—No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental

inquity.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the House Department, in order that they may be in a position to deer class effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the Load Governments and Administrations as part of the respective provincial rules.

By order of His Excellency the Hononrable the Governor in Conneil,

> W. H. LUCAS, Chief Secretary to Government.

PROVINCIAL CIVIL SERVICE.

# PART II.

### Judicial Branch.

In treating of the Judicial branch of the Provincial Civil Service in this Memorandum it is unnecessary to traverse again the ground covered by the first twelve paragraphs of Chapter I of Part I of the Memorandum on the Executive branch, since the release therein given of the correspondence leading up to the integration of the Provincial Civil Service as such in 1835 is history common to both branches of the service. In the present Memorandum, therefore, it remains only to deal with the special facts regarding the constitution of the Judicial Dranch, the changes which it has undergone from time to time, and the method of recruitment.

2. As shown in the Memorandum on the Executive branch, the Government of India, after consultation with the Bonchay Government, decided, in their Resolution No. 9—Public [1942-52, dated the 21st Apr], 1892 to throw open IS scheduled or otherwise reserved appointments to the Provincial Civil Service. Out of these eighteen only six posts were allotted to the Judicial Yunnie, hancely.—

Judges 2
Joint Judge ... 1
Assistant Judges ... 2
Registrar, High Court ... 1

To the last mentioned post a recervation was shortly afterwards.

Government of India, attached, to the effect Rone Directions, tologram that it rested with the Net Indian State the Chief Justice to nominate an Officer for the

prescribed by the Governor in Council. The above scale was in accordance with the recommendations made by the Bombay Government in their letter No. 6969, dated the 2nd October 1890, in deference to the wishes of the Government of India. In agreeing to this scale the Bombay Government had laid emphasis on their aversion Covernment up and companies of the average of Judgeships and Assistant Judgeships to which the members of the Provincial Service might be nominated. Several considerations weighed with them in holding this view : and in connection with the present enquiry it is relevant to invite attention to these. They are fully detailed in pangraph? of the above cited letter, but briefly stated they are as follows:—In the first place it was urged that as all the Subordinate Judgeships, Small Cause Court Judgeships, and the posts of Presidency and City Magistrate would ordinarily be reserved for the Provincial Service, the Indian community would virtually have a large field reserved for itself in the Judicial department, and that in consequence it should be content and task in clusequence is solutive concerning with a few prize places as District Judges and Assistant Judges. Secondly, it was contended that if a larger number of Indian Assistant Judges than that recommended were selected from outside the Covenanted Service, the number of such posts available for the training of junior civilians for the higher and more important and responsible duties of a Judgeship would be curtailed and, in consequence, at some would be covalined and, in consequence, as some future period Government might be confronted with the contingency of having no European covenanted officer legally qualified and fittled for the office of District Judge. Thirdly, it was necessary to take into consideration the number of Convenanted Civil Servants of Indian nationality holding judicial posts. Regard being had to the predilection shown for the Judicial branch by Indians desirous of entering the public service, it was expected that cove-nanted officers of Indian nationality would as generally prefer judicial places as their European confrères would prefer administrative places. If, therefore, besides the preponderance of the non-European element in the Judicial line, which would thus be created, a considerable Indian infusion were received from the Provincial Service, the Judicial department would become essentially Indian—a situation which was not at all to be desired and which was deprecated even by the Public Service Commission of 1886, though they recognized the great ability often displayed by Indian Judges. 3. The abovementioned six posts, at which

appointment, subject to any rules and restrictions

ability often displayed by Indian Judges.

3. The abovementioned its poots, at which figure-the number of reserved Judicial appointments to be thrown open to uncovenanted servants was limited in view of the considerations above set forth, added to the 195 posts of Subordinate Judges in the Presidency proper (inclusive of the Judges of the mornsoil Court of Small Causes) and the 1% posts of Subordinate Judges in Sing formed the Judicial brands of the Provincial Grid Service when constituted in 1895, though for a long time the two Judges ships continued to be held by statutory civilians till the death of one insumbers! (Juli, Macch 1907) and the retirement of the other (John 1917) has 1911. The following stable shows the number, pay and grades of the various appointments in death.

the Bomboy Provincial Civil Service in the Presidency proper.

Serial number of appoint- ment.	Appointment.	Phy. Burnes for mounts.
1	District and Sessions Judge	Its 1,600, 8-1,201 or Rs 1,600 second- ing as the upon in- ment is made to 181, 20d or 3nd
g	Do. do	Grade Judgeships
3	Begister of the High Court, Appel-	Re. 1,530
4	Judge of the Small Court Court,	,, 900
5	Joint Judge and Bresions Judge	,, 890
6	Judge of the Small Cause Court, Abmedsted.	,, 800
Ŷ	Judge of the Small Can't Count at Sarat and Broach.	, eva
8-10	Three Subordinate Judges, 1st Class, 1st Grade.	, 610
11-14	Four Baltordinate Judges, 1st Class, 2nd Grade	" £20 .
16	, Assistant Judge and Squisms Judge	according as the appointment is to the let up 2mi
16	Do. do	J Grade.
17-21	Eight Suberdinate Judges, 1st Class, 3rd Grade	1
25-09	Nineteen Subschlingte Judges, 3mi Class, 1st Grade,	
44-03	Twenty-two Separdinate Judges, 2nd Class, 2nd Grade,	
66-101	Thirty-six Subtrilinate Junges, 2nd Class and Grade.	1
169-112	Eleren Subarilanto Judges, 2m Chas, 4th Grafic.	,, 161
	J	

List of appointments in the Indicial branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial smeder of appoint- ment.	Appeintment.	Pay. Rapies jer minen.
		Rs.
1-2	Two Subredicate Judges, 164 Class	403
8-6	Three Subordinate Judges, 2nd Closs.	310
6-19	Piro Subordinato Judges, Jed Chaps	500
11-13	Three Subsectionie Judges, 4th Class.	100
	,	

4. A distinctive feature of the Judicial branch, as compared with the Executive branch, is that, unlike the nine Assistant Collectorships allotted to the latter branch, the posts of Joint and Assistant Judges were not absorbed into the grades of Subordinate Judges, but were kept distinct. In the case of the Executive branch the annalgamation was easy and natural, in view of the identity of the work of the Assistant Magistrate Collectors with that of the Deputy Magistrate-Collectors, who were not infrequently placed in charge of an Assistant Magistrate-Collector's charge. But the powers of Assistant Judges are superior to those of Subordinate Judges. The former are, therefore, still borne on the list of Assistant Collectors, and the Judges of the Provincial Civil Service are graded with those of the Indian Civil Service. Particular appointments in the several grades have not been reserved for them; but they rise pars passu with their contemporaries of the Indian Civil Service and traverse all grades in turn. The only restriction is that not more than two officers of the Provincial Civil Service can be placed in the grade on Rs. 600 at the

5. The Judicial branch is not divided into an upper and a lower division, and in this

List of appointments in the Judicial branch of differs from the Executive branch as at present constituted. Such a division would, in all probability, have been created had the original proposal made by the Government of India, in constituting the Provincial Civil Service been adopted, namely, that the line of demarcation between the Provincial Civil Service and the Subordinate Service should be determined by a pay limit which they suggested might be Rs. 200. The Government of Bombay, in common with other Local Governments Administrations, were opposed to division being made on the basis of salary. One result of this would have been that Second Class, Fourth Grade, Subordinate Judges would have been members of the Subordinate Service, whilst all other Subordinate Judges would have belonged to the Provincial Service. The duties, qualifications, responsibilities, status and position of all Subordinate Judges are, however, in a great measure identical. Moreover, as acting grade promotions for shorter or longer periods would promotions for shorter or longer periods have been of frequent occurrence, it would have followed that an officer who was one day in the Subordinate Service might the next day have been in the Provincial Service, and might again, after a couple of months, have reverted to the Subordinate Service—a result which seemed anomalous and inadvisable. The Bombay Government, accordingly, strongly urged the inclusion in the Provincial Service of whole classes of appointments, embracing within them entire grades of appointments; and the Government of India eventually agreed that the test should be the method of recruitment and the prospect of regular promotion to higher employment. Thus all grades of Subordinate Judges came to be included in the Provincial Civil Service list.

6. A third distinctive feature of the Judicial branch is that the Sind cadre is separate from that of the Presidency proper, as was suggested by the Government of India in paragraph 6 of Home Department letter No 1951, dated the 21st December 1893. Besides the technical objection that, to effect an amalgamation, an amendment of Act XII of 1856 would be necessary, as it would involve their appointment otherwise than by the Commissioner in Sind, as provided in the Act there were administrative objections to the inclusion of all "uhordinate Judges in one list. The grades in Sind were, at that date, on Rs. 400, 300, 200 and 150, and it was felt that difficulty would be experienced in obtaining men willing to take up the appointments on their then existing footing, it they were made subject to the higher tests app icution to candidates for the Judicial branch of the Presidency proper: while on the other hand the Committee, who were appointed to frame the Provincial Civil Service linles in 1892, believing that service in Sind would be as unpopular with natives of other parts of the Presidency, as their presence there would be distasteful to the local residents, considered that the circumstances of Sind were such as to make it advisable that, as for as possible, appointments to the Bombay Civil Service in Sind should be filled up from that province.

 As regards the strength of the cadre of the Judicial branch it has to be remembered that in some instances two or more Courts are linked together and presided over by one Subordinate Judge; in other cases Joint Sufordinate Judges are attached to Courts with heavy files. Generally speaking, however, it may be said

that the number of Subordinate Judges is regulated by the number of Courts. The strength of the cadre in 1895 will be found in the statement given in paragraph 3 above. The number of Subordinate Judges has since been increased by three—one being added in 1902 to provide a Joint Subordinate Judge for the Dharwar District for the more efficient despatch of civil business in that district : the other two in 1907 when, upon the abolition of the Special Judgeship under the Decean Agriculturists' Relief Act, the administration of the Act was entrusted to the ordinary civil judiciary, and it was found that besides the two Subordinate Judges, who had till then been assisting the Special Judge, two more Inspecting Subordinate Judges were required. The Sind cadre was increased by four Subordinate Judges in 1904, as the rapid development of the province, particularly noticeable in the Sukkur, Larkana and Hyderabad Collectorates, was accompanied by a large increase in the work of the Civil Courts. Subsequently in 1997 the grading of the Sind cadre of Subordinate Judges was brought into line with that of the cadre in the Presidency

8. Besides the above changes, the salaries of the two Judgeships open to the Provincial Civil Service were revised in 1905, the lowest rate of Rs. 1,000 per measen being abolished, in consequence of the raising of the pay of the Indian Civil Service officers, to which the pay of the Provincial Civil Service officers was intended to bear a fixed ratio. The chief alterations, however, which have been made in the constitution of the Judicial branch are the following :-

(i) conversion in 1897 of the Joint Judgeship on Rs. 800 per mensem into an Assistant Judgeship on Rs. 500 per mensem ; and

(ii) removal in 1911 of the post of Regis-trar, High Court, from the Provincial Civil Service list and the substitution of a third

Judgeship.
9. The first mentioned change followed as a necessary sequel to the replacement of the Joint Judgeship and Assistant Judgeship with full powers, which existed as separate graded appointments in the Indian Civil Service cadre, on special rates of pay, namely, Rs. 1,100 per mensem (represented by Rs. 800 in the Provincial Civil Service), by two Second Assistant Collectorships on Rs. 700 per measess, the equivalent of which in the Provincial Civil Service was Rs. 500. For a time, to compensate the members of the Indian Civil-Service and Provincial Civil Service, the difference between the old and new pay was distributed and attached to certain posts, as local allowances of Rs. 200 and Rs. 150 respectively for each of the services. The last of these allowances consed in 1910 on the retirement of Mr. S. P. Padamjee, a statutory civilian who served as Assistant Judge.

10. As to the second change mentioned in. paragraph 9 above, it may be explained that of hate years the post of the Registrar, High Court, Appellate Side, has invariably been given to a member of the Indian Civil Service. It was considered desirable that the practice should continue. The Secretary of State accordingly removed this office from the list of appoint-ments open to the Provincial Service and, to compensate the members of that service, substituted for it a third District Judgeship. Full effect has not as yet been given to the change, but an acting appointment as District Judge

has been alled by an officer of the Provincial Civil Service.

11. Tables B-1 and B-2 printed at pages 496 and 497 ante show the number, pay and grades of the various appointments as they now stand for the Presidency proper and Sind respectively. A change, so far as Subordinate Judges are concerned, is, however, about to be made in them. Owing to an excess in the number of appointments in the lower grades promotions have been slow, and to provide, therefore, an equable flow of promotion Government have decided to create a new grade of Rs. 250, and to redistribute the different grades of the Second Class. A comparative statement marked A appended shows the constitution of the grades in the Presidency proper and Sind as they stood on 1st April 1887, on the same date in 1912, and will stand after the proposed redistribution. The additional cost will be Rs. 16,800 per annum. It may also be mentioned that on the division of the Sukkur-Larkana Judicial district, which has been sanctioned by the Secretary of State, the number of first grade posts in Sind will be increased to four and the number of posts on Rs. 300 reduced by one

12. The law governing the appointments of Subordinate Judges is contained in section 22 of the Bombay Civil Courts Act, XIV of 1869, in the Presidency proper, and section 4 of the Sind Courts Act, XII of 1866, in Sind. According to the provisions of these Acts appointments in the Presidency proper are made by the Governor in Council and in Sind by the Commissioner in Sind Prior to the formation of the Provincial Civil Service candidates for appointments in the Judicial branch of the Subordinate Service in the Presidency proper were required to be graduates in law of the University of Bombay, or to pass the High Court's examination for the offices of Subordinate Judge and Pleader of the High Court. They were also required either to practise for three years in a Civil Court or to serve in a Civil Court for a similar period in certain specified capacities. the tests were identical with those prescribed for admission as Sadar Court Pleaders and the minimum educational qualification required was the passing of the Matriculation Examination of the Bombay University or a public examina-tion of a similar standard. There has been no departure from these main principles, though,

\* These have been re-stated in Government of India, Heme Department, Netification No. 1046-58, dated the 19th August 1919. printed at pages 497 and 498 and

in view of the general conditions\* laid down by the Government of India for recruitment to Provincial Civil Service as a result of the deliberations of the

Public Service Commission, the rules were elaborated in detail, as will be seen from the † Vide pages 487 to 489 Provincial Service Rules†

of 1895, appended to the Memorandum on Executive branch. The rules of 1895 them-

selves have undergone changes from time to time, but only in matters of detail, such as additions to the number of qualifying posts, elucidation of obscure points, etc. The rules in force in April + Pide pages 494 to 496 1912 will also be found

‡ Vide pages 494 to 496 and appended to the Meno-randum on the Executive branch. It will be

seen that the system of recruitment by com-petitive examination has never been adopted in the Judicial department. It will also be

noticed that in Sind the tests for admission to the Judicial branch were, and are still, identical with those prescribed for admission as Sadar Court Pleaders. Though these tests were not a first of a seven nature the standard has since been raised by the revised rules for Pleaders' Examination in Sind of 1999, which were framed mainly on the model of the High Court Rules.

As laid down in the rules, first appointment to the Judicial branch is ordinarily to the lowest grade of Subordinate Judges and the appointment is probationary for two years, and also conditional on the candidate passing, within that period, in one of the three vernacular languages other than his own, if he has not already done so before appointment. The right of making the first appointments Government have reserved entirely to themselves. Promotion to appointments, the salary of which is less than Rs. 500 a month, is ordinarily given according to seniority, subject to fitness and approved conduct. In this respect Government accept in all cases the nomination of the High Court in accordance with the concordat of 1873, so that the grant of promotion within the Secund Class of Subordinate Judges rests practically with the High Court. Promotion to the First Class (i. e., to posts carrying Rs. 500 and above) is determined by merit, and Government make the appoint-ment after consultation with the High Court. Appointments to the grade of Assistant Judges are made usually by selection from among the Subordinate Judges. To this rule, however, there have been two exceptions—Hr. Advant, a Sindali geatherm, was appointed direct, by comination, to an Assistant Judgeship, and latterly was promoted to a District Judgeship; and Mr. K. B. Wasuber, who was qualified under section 22 of the Bombuy Grid Courts Act, was transferred from the Executive to the

"First page 60 unte.

Judicial branch under unle XXI." From Assistant Judgeships Provincial Givil Service officers are promoted to District Judgeships. Formerly such appointments, whether permanent or officiality for a period exceeding three months, required the sanction of the Government of India, but when the rules came under discussion in 1910, in consequence of certain recommendations of the Decentralization Commission, this

restriction was abolished.

14. The Judicial branch of the Provincial Civil Service is entirely manned by natives of India. The attached statements B and C show, as far as details are available, the proportionate representation of the various indian casts, and communities in 1912 and 1887 respectively.

15. As regards the rate of recruitment, leave rules and pensions, the remarks contained in paragraphs \$5, 25 and 27 of thapter 1 of Part I of the Memorandum on the Executive branch apply equally to the Judicial branch so that it is unnecessary to reiterate them here.

## STATEMENT-A.

Comparative statement showing the constitution of the grades of Subordinate Indges in the Presidency proper and in Sind as they also at let April 1887 and on the same dide in 1919 and will slend after the proposal existentiation.

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<sup>\*</sup> M. D.—On the division of the Sakker-Linking Judicial District the appointments on Ex. No wall be reduced to 2 and the coll approximent on Ex. 200 control.

#### STATEMENT-B.

Statement showing the proportion of members of the various nationalities and cartes holding uppointments in the Provincial Civil Service, Indicial branch, in 1912 in the Presidency proper and Sind.

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## STATEMENT-C.

Statement theoring the proportion of members of the various nationalities and easter holding appointments in the Provincial Civil Service, Judecial branch, in 1887 in the Provincial Civil Service, Judecial branch, in 1887 in the Provinces

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#### APPENDIX IV.

Special Memorandum on the Constitution of the Indian Oveil Service prepared for the Royal Commission by the Government of Bombay.

In the General Memorandum draws up by this Government, the history of the recruitment system has been reviewed and its merit discassed at length, white the alternative methods suggested, together with questions relating to the age and training of candidates, have also been carefully considered. The general conclusions arrived at may be summarised as follows:—

(1) The system of recruitment for the Indian Civil Service by open competitive examination in England has given efficient

(2) The subjects for examination cannot be improved upon.

(3) The age of candidates might with

advantage be lowered.

(4) There are drawbacks incidental to combining the Indian Civil Service Examination with that for the Home Givil Service and it would be an advantage if the former could be for men 2 years wounger than the age for appearance for the Home Civil Service.

(5) Simultaneous examinations in India and England may be dismissed as impressivable. They are open to the most serious objection for the reasons given, from the point of view of Indians themselves and also because their calculate mount of violate fundamental principle upon which the examination system is founded. Their adoption would involve a reconsideration of the system of the Provincial Givil Service which supplies one-sixth of the higher posts, formerly reserved to the statistics visiting, or the presumption that the containing five-sixths are held by Englishmann errorted in England.

Englishmen recruited in England.

II. The Government of Lord Sydenhem have endeavoured to examine the whole problem from the following broad standpoints:—

 (a) The necessity for maintaining the administration upon a looting of high efficiency;

(6) The necessity, in so far as this is possible consistently with (e), for adhering to the general principles enunciated in the Proclamation of 1858 and reiterated at various times since that date;

(c) the desirability of affording every facility, compatible with (a), to Indians to qualify themselves for participation in the higher administrative posts in the Indian

Empire.

In the opinion of this Government the present system, though it might with advantage be modified in details in the meaner indecided in the General Memorandoun, may be said to work well on the whole on the the same tense to fife a fair chance to Indian. It has not been sufficiently remised that, by the reservation to Indians, practically, of one-sixth of the superior posts formely reserved for the Indian Civil Service, a very considerable additional responsibility has been east upon the Government of India and the Secretary of State for seving that, in respect of the remaining five-visits, no step is taken which entails the smallest risk of loss of dicieccy in the material recritical. It has had

to be admitted, with regret, that Indian officials are not as yet, on the average, as efficient as English, and the same standard of efficiency is buggiss, and the same stationard of carteriors in not expected. This applies to Indians who have passed for, and are serving in, the Indian Civil Service as well as to those otherwise recruited for other branches of the service. So long as this is the case, it is, in the deliberate opinion of the Bombay Government, impossible to contemplate the adoption of any scheme alternative to the present which, while considerably modifying the percentage of Indians in the five-sixths of the higher posts, would provide no machinery for a system of training such as might be expected to render the Indian official at least as efficient in all respects as his European confrere. Simultaneous examinations are open to this objection as well as to the others indicated in Chapter I of the General Memorandum; and, until the machinery for the education, in India, of candidates for the Indian Civil Service is so revised as to approximate to that which is available in England, it is wholly impossible for any authority responsible for the maintenance of the administration of India at its present high level of efficiency to contemplate with equanizaity the adoption of such a scheme.

III. Government have not however, thought that their obligations, in regard to this inquiry, are adequately discharged by demonstrating the objections to, and difficulties in the way of, all change. They recognize that the present system is not perfect, even in regard to the recruitment of the Biglish element of the service. As regards Indians, there is much force in the indictatest of the present system, so far as it relates to indians, contained in an article in the "relate to indians, contained in an article in the Round Table" for December which is worth

quoting here:

"There is no reason why more Indian should not be given place in the service (Indian Criff Service) if any system of nouri-huest or training can be devised with will give us India's really best. We do not get it at present, and on the rare constitution to the devised on the control of the c

In regard to the Indian competitor, the system is deficient in that it makes no complete prevision, and affords only partial and somewhat illustry facilities, for what may be called character-straining. It is unfair, under the present system, to expect that the Indian will be as efficient set the English evilian and it is the reagention of this fact, established by expression, that indiaces the application of a lower standard of expectation in the case of the former.

Under the present deficient system (despitthe organization of a branch at the India Office to help young Indian-) the youth from India propose to compete for the Indian Giril Service goes, after he college career in India, straight to a cramming establishment in London. He is thrown on his own recurrees in strange surroundings and anided all sorts of temptations. Having had no training in establishment with is acquired in our English public schools, he naturally takes the film of least resistance with, and comes under the selectives with, and comes under the selective of, his follow-contripues whether desirable or the nevers. En proceeds to the university, knowing no English follow-condergudustes, is probably non-collegiate or at best fives out of college, and the same process is repeated. Having had, in Irdia, no dispiliancy training such asserves to keep the Englishman or fairly straight and rational lines, coming in contact with none but inferior English influences, and making none but self-inferested friends apart from his brother Irdians, it is surprising, not that he is not more efficient, but that he survives the trials oved less in does.

It cannot be contended that a system which acquiesces in these things is dealing fairly by the Indian candidate for the Indian Civil Service, or by the official who is the product of the system. And it is a recognition of the evils inherent in these conditions which has driven the Government of Bombay to consider whether they cannot assist the Commission by devising a modification, or revision, of the present arrangements which will maintain the necessary standard of efficiency and at the same time give Indians a better chance of fitting themselves to be able in all respects to challenge comparison with their European colleagues. It is necessary, however, to make it clear that the Government of Bombay are not prompted by any conviction that the present system has failed as a whole. On the contrary, it has provided India with a satisfactory Civil Service; and this Government contemplate the adoption of an alternative only on the understanding that it is of the nature of an experiment directed to further what they regard as the best interests of Indians.

IV. (1) The considerations advanced in the foregoing paragraphs have convinced this Gov-ernment that what is lacking to Indians under present circumstances is character-training. The framers of the competitive test as open to Indians, as well as English, laid stress upon the advantages which would accrue from the free and liberal education that must lead up to the examination, and designed that the finishing touch should be imparted by the period spent at a university. It has been shown that the advantages in the latter condition are illusory in the case of Indians as might have been anticipated. Young men proceeding to the university, even from the English schools, find friends there of their own temperament, tastes and sphere of life, and do not greatly modify the tendencies already ingrained on their arrival. It is in the schools of England, not in the universities, that surrounding influences modify character, and that boys learn the self-discipline and selfthat only learn the sent-ascipine and seri-control which are the essential basis of a capacity for administration. The theory underlying the general scholes of recruitizing to competitions as designed (wide Chapter III of the General Memo-randium) by Lord Mazanlay's Committee was that the service, for which it provided the method of recruitment, was a British service, i.e., that it remembrated the investigation regimens of that it represented the irreducible minimum of the British element in the Government of India. The framers of the scheme contemplated, it is true, that a percentage of Indians might compete with success; but it seems clear that they supposed that a condition precedent to such success would be an English education practically ab juitee. It is necessary to make this point

clear, since it is the fact that experience has shown this supposition to have been erroceous which has indood the Bonabay Government to consider whether means may not be found for making good the expectation of the framers of the scheme. The Duko of Argyll's Despatch of 1869—cited in the General Meromandum—is a plain indication that, even in the light of the buried experience then gained, it was reognized that one competitive examinations were not the ideal means of selection for Indians. The reasons for the view then held are equally valid today.

On the other hand, it has been rightly held that, cateris paribus, the conditions applying to the selection of Englishmen should also apply to

iuuus.

(2) From what has preceded it is clear that, if Indian candidates are to be in the same advantageous position as the English competitors for acquiring the characteristics which we expect of the Indian Civil Service administrator, they must go through a period of school training similar to that undergone by the English boy In other words, since there is no public institution in India-excepting perhaps two Chiefs' Colleges, and in their case only with large reservations-organized with any real resemblance to the English public school model, the Indian candidate must proceed to England at an age when his admission to an English public school is still possible, namely, at the age of 14. before proceeding to indicate how this might be arranged, and the incidental changes that would be desirable in the case of the selection of English candidates, it is desirable to state that there is good evidence to show that an English public school training does produce results in the case of Indians which are more promising than the products of open competition, and this despite the fact that the individuals to whom reference is here made are not of the scholarly eastes and have perhaps not attained to the same height of scholarly learning. It is of importance to assert that this is a matter within the knowledge of Government, . as otherwise there would be the obvious objection that there were no sufficient a priori grounds for believing that the public school experience would prove of value in the case of Indians. The vital difference between the two esses lies, not only in the enormous value for development of self-reliance and character in the English boarding school system, but in the circumstance that the Indian boy so trained leaves school and proceeds to the university with friends already made. He has a fair start there and is not, as in the normal case already described (III ante), thrown back upon an atmosphere which is calculated to do him, morally, far more harm than good.

(3) Now, if the advantages claimed for a public school caree in Thejagad be consoid, the first difficulty which confronts us it be deviced, the first difficulty which confronts us it be deviced, as method of a scheme of maintenance in England, between the age of 14 and the age to be fixed for the competitive examination. In one competitive examination in India to impracticable, at present, at that ages and it would be equally impossible to regard loyer who passed, or qualified, at that age as having thereby displayed their fitness for selection, at the later age, for the public service. We are therefore thrown hack tupon a system of State scholarships, designed to chalce selected boys to precede to as Inglish public school for

education and preparation for appearance at the Indian Civil Service Examination. Two initial

considerations present themselves :-(c) How many such scholarships are to be allotted annually? and

(b) What conditions are to be imposed as the preliminary qualification for competition in the scholarship test?

(4) Question (a) is vital, and must be taken into consideration first. It has been noted that the whole theory of the Indian Civil Service

Examination, recruiting, as it does, for five-sixths only of the superior posts in the administration, is that it supplies the irreducible minimum of the Buropean element, and that the scheme of the examination is so designed that such Indians as compete successfully can be regarded as part of that minimum (European element). That this scheme has partially faield is relevant to the question at issue, in so far as it is precisely that element of failure for which a remedy is now sought. So long as that remedy is in the experimental stage it is essential, for

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margin show that from 1881 to 1991 the percentage of Indians competing successfully was 4.36, while from 1902 to 1912 it was 5.16. The maximum number of Indians successful in any one year was 7 in 1899 and 1912. The average number was 2.8 over the past ten years. It is the deliberate opinion of the Bombay Government that the average number of the past ten years should be taken as the basis upon which to calculate the recruitment, for the next ten years, of Indian competitors for the Indian Service under the scheme in process of elaboration. They are aware that this view will not give entire satisfaction to Indian aspirations, though they believe that the conclusion sug-gested is in their best and truest interests and is calculated, as will be shown further on, to justify a further advance more quickly than any other scheme hitherto suggested. It is proposed that this minimum number of posts should be absolutely reserved for Indians, not left to the ultimate chances of competition, and it is for this reason that the number is proposed at the average of the past ten years, that average being as high as, in the present circumstances of India and Indian appreciation of public responsibility, can be regarded as safe, with due regard to the necessity for maintaining the present high standard of efficiency.

The answer to question (a) is therefore that three scholarships should be allotted, each year, to selected students competing for the privilege of proceeding to an English (selected) public school for preparation for the examination for the Indian Civil Service.

It is, however, contemplated, for reasons which will be explained at greater length in paragraph V (4), that double this number be allowed to proceed to England, for the same training, though with a lower scholarship allowance, and that employment in the Public Service shall be guaranteed to them subject to certain conditions of good conduct and attain-ment to a certain standard.

(5) It is now necessary to revert to question (b) in paragraph IV (3), namely, what conditions should govern permission to appear in competi-tion for the scholarship test in India, at the age Candidates should be nominated by the several Provincial Governments on the recom-mendation of Head Masters of High Schools and Colleges (including the Chiefs Colleges) and their names submitted through the Col-lectors or Political Agents and Commissioners, indicating, in their recommendations-

(1) The race and caste of the candidate;

(2) his family connections;
 (3) his scholarly aptitude and moral and

physical fitness. Local Governments and Administrations should select from the lists submitted to them up to the maximum number allotted to the province, and send up the names to a Central Indian Board of Civil Service Commissioners. The maximum number for appearance might provisionally be fixed at 50, and distributed through the different provinces on a basis, not merely of population, but of relative importance from the point of trade, revenue, educational advancement and racial admixture, to be determined hereafter; but, for purposes of illustration, and with a view to indicating that there is no insuperable obstacle in the way at this stage, let it be assumed that the distribution be somewhat on the following plan :-

Total number Madras Bombay United Provinces ... Punjáb Bibar and Orissa Central Provinces ... Ajmer-Merwara and Coorg alternal

The examination to be held at Delhi,

Taking the Bombay Presidency as an example, the Local Government would require each Divisional Commissioner and the Commissioner in Sind to submit a list of 5, and the Agent to the Governor in Kathiawar to send 1 or 2, selected names from those sent up to them by Head Masters through Collectors. Government would then have a list of 22 names from which to make a selection of 7; and these would be sent up to compete. One objection to this system is, of course, that it could easily happen that any given province might for several years consecutively fail to secure a successful candidate. This objection is inherent in the present competitive system also, and no great weight need be attached to it. Another objection which will be urged is that free scope to intellectual attainments is not secured. The Bombay Government do not admit the soundness, from the point of view of the true interests of India and of Indians, of this objection. In the words of the Duke of Argyll's Despatch "it is notorious that in their (the Indians') case mere intellectual acuteness is no indication of ruling power." Such merits as the proposed scheme possesses depend upon the assumption that the candidates selected by local Governments will be chosen as largely from among those competitors whose racial, physical and hereditary characteristics afford a presumption of fitness to govern as from among those whose claims to consideration rest chiefly upon precocious literary attainment. The competitive examination, in which the process of selection

culminates, should, if the scheme is to be satisfactorily worked, be devised upon a basis similar to the entrance test of an English public schools that is to say, it should not include subjects of an advanced character, but should aim at eliciting which of the candidates has the most thorough grounding in comparatively elementary subjects. Special weight would, in this view, be attached to oral examination. A stringent medical examination should; of

course, also be insisted upon.

(6) The chief justification for the whole of these proposals being the postulate that the would be Indian members of the Indian Civil Service should have an opportunity, in the most favourable circumstances, of acquiring what the Duke of Argyll described as "aptitude for rule or official ability," the scheme should provide for the location of the Indian candidates at some of the location of the English public schools. While of the best of the English public schools. While it is not necessary, even if it were possible, to indicate here a list of those schools which might with greatest advantage be accepted, it is evidently desirable that a considerable latitude should be allowed. Thus, while Eten and Winchester and Charterhouse would clearly be included, there is every advantage in not excluding several other schools, and a distribution of Indians rather than a concentration is preferable from several points of view. The best must be included, and, such being the case, the rates of scholarship must be fixed so as to secure that there is no bar to the Indian profiting by them to the full. It is thought that the first successful candidate in each year should be awarded a scholarship of £250 a year, the other two of those selected for the Indian Civil Service competition, of £200. For the other 3 candidates, for whom in ordinary circumstances a post in the superior grade of some other specialized service will be the goal, the rate of scholarship need only be £150 per annum, and his acceptance of it would depend on his or his parents' willingness or ability to supplement that scholarship to the figure necessary to meet all the charges incidental to his education. In all cases a free first class passage to England and back should be guaranteed.

An estimate of the cost involved in these proposals, coupled with the other suggestions for completion of the scheme, is given in the Note at the end of this Memorandum. Having regard to the important considerations involved,

the cost does not appear to be excessive.

V: Assuming that the scheme above outlined meets with provincial approval, it now becomes necessary to turn from India to England and to consider whether any, and if so what, modification of the present system—or of the system modified in accordance with the views as to the age-limit expressed in Chapter II of the General Memorandum-would become desirable as a consequence:-

(1) If the conclusions laid down by Lord Macaulay's Committee, reiterated by the Dukes of Argyll, and adhered to since, are held—as they must be held—to apply with equal force. today: that is to say, if, in the case of English boys and boys from the dominions of the Empire qualified to appear in competition for posts in the Indian Civil Service, it is still true: posts in the lidian Civil Service, it is said acce-that they "have generally, those qualities by which they have won, and still hold, the Indian Empire," and, therefore, that "the tests of competitive examination are, on the whole, good tests as between different candidates of the

English race:" then very strong reasons will have to be adduced to justify any modification of the existing open competitive system. There is only one such reason, but it is a conclusive reason. Under the present system the competireason. Other septement of any Indian who chooses to appear for it. Under the proposals elaborated in paragraph IV the competitive examination would be open to only those selected Indians who have qualified, by obtaining scholarships, and to such others as may qualify on the same basis as British candidates. In other words, while permitting unrestricted competition on the part of candidates of the English race," we should be confining competition by Indians to the case of the successful of those who have been permitted, by a careful

process of selection, to compete. There is no desire to lay undue stress upon the divergence of conditions, especially since the proposed method of selecting Indian candidates for competition for the scholarships is very far removed from the narrow system of nomination which was so lightly discarded in favour of competition. On the other hand, there is some reason to believe that Indian sentiment may be more ready to acquiesce in a modified system of competition for scholarships, in hou of unrestricted competition for the Indian Civil Service, if if be decided simultaneously to require certain preliminary qualifications in the case of English competitors as a condition precedent to competition. Moreover, in the circumstances explicitly stated in the last sentence of Section IX of this Memorandum, itis only by making the same scheme applicable both to Indian and to English competitors alike that real justice will be secured to the former. It is in the light of this consideration that the Bombay Government have given thought to the question whether any scheme alternative to that of unfettered competition can be devised which will be free from the taint of patronage, meaning, in the Duke of Argyll's words, distribution "among friends and relatives."

(2) It will be remembered that the process by which, it is suggested, candidates should be presented in India for competition for scholar ships, contemplates the submission for considerstion of two or three names by practically every high school and college in each province of India. An arrangement might be made whereby a scheduled list of approved British and dominion schools might be drawn up, and an allotted number of nominations given to each, up to a pre-determined maximum. The nominees, under this system, would be nominees of the Head Master, who, for the credit of his own school, would jealously watch his nomina-tion; and the certificate of nomination would be an object to aim at which might become a prized distinction. Let it be assumed that the maximum number of nominations is 200. These 200 certified nominees would then compete at the competitive examination for all the vacannies available; manus the number reserved absolutely for the selected Indian scholars to whom though they would compete at the same examination, would be guaranteed the reserved posts, provided they achieved a certain standard of

In Chapter II of the General Memorandum preference had been given to a reduction of the age for competition. The precise age to he fixed has there been discussed with reference; more particularly, to the general principles

which have guided the authorities in organizing the system of competitive examinations and which have been expressed in what has been termed the locus classicus of Lord Mucaulay's Committee. But it is here necessary to consider the matter rather in the light of the alternative scheme in process of elaboration: Clearly, for the purposes of the arrangements herein con-templated, the age-limit most suitable is that which held sway from the year 1878 to 1891 viz., between 17 and 19: in other words, at the ordinary period for leaving school and proceeding to a university. Apart altogether from the intrinsic merits of this age-limit, there would be, under this arrangement, one incidental advantage to which the Government of Bombay believe that great weight will attach, namely, the elimination of the crammer. Several of the changes from time to time effected in the limit of age have had for one of their avowed objects the discouragement of the cramming system: but none has achieved complete success even in the case of Englishmen, while, in the case of Indians—for whom the system is far more deleterious than for the Englishman-the system is as inclusive and powerful as ever. It is no unusual experience for an Indian youth to have spent 2 or 3 years in London in preparation for spent 2 or o years in Lousson in preparation for his examination at the expense of all else that might be expected to prepare him to be an efficient administrator. For purposes of the present scheme, therefore, it will be assumed that, in the case of the Englishman and of the Indian alike, the Head Master's certificate of selection for competition shall certify, among the other matters, that the pupil concerned has been, up to the date of the certificate, uninterruptedly either at that school or at another school to be specified.

(3) The position at this stage is, then, that both the Indian scholarship-holders and the British nominees, compete, between the ages of 17 and 19. The former have had either 3 or 4 years at a public school and must be certified by the Head Masters both with reference to their studies and general character as fit to compete for the public service, while the latter are similarly dealt with and will, of course, be are similarly dealt with and will, of course, to selected by Head Masters for competition with reference to very special qualifications and attainments. But before discussing at length the alternative methods of training, subsequent the atternative measures of training, succeedent to success in the competitive examination, it is necessary to revert for a moment to the last sentence of paragraph IV (4) of this Memo-randum and to indicate the method of disposal, as between different Indian competitors.

(4) As was there stated, it is contemplated that for the 3 posts for 1 on £250. 2 on £200. 3 on £150. which Indian condidates 3 on £150. were to qualify, 6 scholar-ships, graded in value as shown in the margin, should be allotted. The

reasons are the following:-In the first place it is necessary to provide for casualties. It is also desirable to preserve, up to the date of appearance for the competitive examination in England, the principle of com-petition. The scheme as outlined in paragraph IV for Indians does not contemplate that the three boys who qualify in India for the higher scholarships shall of necessity be those selected for the three Indian Civil Service posts. It is designed that all the six scholars shall be benefited to an extent enabling them to prepare themselves at a public school, and that they

shall be privileged to compete, after attaining the age of 17 and (if they fail then) again at the age of 14 and in they are the distance of 18, at the competitive test. The eith year the three Indians who pass highest will, if in other respects satisfactorily reported upon, be appointed to the Indian Civil Service. The three in each year unsuccessful, after the second appearance, have now to be considered

In the case of all the six scholars a bilateral agreement will be necessary. On the part of the Government of India there will have to be an undertaking that, save in the event of mis-conduct, or failure to comply with essential prescribed conditions, Government employment is guaranteed to the scholar on the completion of the course of training laid down for him'; and that, in the event of his qualifying among the first three in any one year of competition, he shall, if he so desires, he appointed to the Indian Civil Service.

The case of each of the three who annually fail to qualify highest will be for consideration on its merits. There will be three Indians, in fact, annually available for special training for one of the branches of the public service other than the Indian Civil Service-e.g., for the Education, Medical, Police, etc.—thus securing for other departments a nucleus of the Indian element trained in England on Western principles for their gazetted superior grades. It is not considered necessary here to elaborate the details of this portion of the scheme since it affects more closely the other departments of the public service; but it may be claimed-

(a) that there can be no insuperable difficulties in the way of arranging for the utilization of (annually) three highly educated Indian gentlemen trained in the manner indicated;

(b) that, on the contrary, their admission to the superior Education, etc., Services will be a further step in the desired direction; and

(c) that by preserving the principle of competition up to the stage of the competitive examination it will be possible to retain the spirit of emulation which should characterise the whole theory of the scheme of scholarships.

The question of the further training of the 3 unsuccessful Indian competitors will be referred to, incidentally, in conjunction with the postexamination training of the successful candidates for the Indian Civil Service.

#### VI .- Post-examination Training.

Two main alternative methods require consideration-

(i) A university course.

(ii) Special training at an institution of the Haileybury type.

As the first alternative must also be con-sidered from the point of view of the principles which have hitherto governed the training of passed candidates, it must also be divided into two alternatives

(a) The ordinary university course, and

(b) A specialized training at a university,

The scheme postulates that all successful candidates will have passed the test before they are 19 years of age, and it is therefore necessary to consider the scheme of their subsequent, preparation from the point of view of the similar age condition which prevailed between the years 1878 and 1891. During that period an

allowance of £150 per emusa was granted to passed candidates for a period of two years, and they were permitted to proceed to any British university they chose to select. The allowance of £150 was permitted to be drawn for a third year, provided the candidate took a degree; but during the first two years he was required to take up a course of studies specially designed to fit him for the work he would be called upon to do on arrival in India.

The alternatives of an academic course following the normal lines and a specialized curriculum, whether at a university or at some separate institution, have already been discussed. The preponderance of argument, starting from the familiar propositions enunciated by the Macaulay Committee, seems decidedly in favour of the former, and it is hardly necessary to urge them further in this place. It need only be added that, in addition to the superior advantages which the normal academic course of studies offers as an intellectual training, it also obviates the practical difficulties, some of which would probably be found on examination to be of a formidable character, in making suitable arrangements with the academic authorities which would involve their acceptance of important modifications of the course of studies sanctioned and prescribed by them, and a departure in principle, perhaps even more important from the views most generally entertained as to the proper basis of a university education.

These arguments, which have been directed primarily against a specialized university course, apply even more strongly to a course pursued at an institution on the lines of Etalleybury, as far, at least, as educational theory and practice are concerned. A specialized curriculum at such an institution would then to become more and more specialized and more and more remote from the larger and more liberal disnosthere of a university. In some respects the peculiar advantages claimed for specialization might be more completely attained, but this would eatail the sacrifice in a corresponding degree of the general education value of the training.

It may be admitted that a separate institution would conduce more to the development of a corporate spirit. On the other hand, it is open to the incidental danger of encouraging a tendency towards a somewhat narrow 'service point of view.' The object to be aimed at is to arrive at a mean between the degree of concentration necessary to secure the requisite intercourse and association, both in work and In social and athletic activities, and the isolation, with its tendency to produce an exclusive and illiberal spirit, which is an occasional concomittant of a separate institution. On a consideration of all the circumstances of the case, and taking into account the school training which this scheme is designed to provide, the Bomhay scheme is designed to provide, the Bombay Government incline to the view that the object in view could hardly be more completely and satisfactorily secured than by requiring the probationers to reside at either Oxford or Cambridge, at their option. If it is considered necessary to provide for more direct association, special colleges might be selected. This would present considerable difficulties, and on the whole it seems probable that common interests and aspirations would operate sufficiently strongly to secure the end desired.

To sum up, the three courses that present them-

(1) a separate training institution on the

lines of Heileybury,

(2) a university course specialized withreference to the requirements of an Indiancareer, residence at either Oxford or Cambridge being insisted on, and

(5) a university course on normal and unspecialized lines, subject to the same condition

as to residence.

The advantages which can be legitimately claimed for the first of these are that, if the superiority of the principle of specialization beconceded, it can be attained at such an institution to a degree of technical perfection hardly attainable by any other means. Secondly, the intimacy of the association entailed in three years' residence under such conditions offers two advantages. As a school of manners it is likely to be specially effective. Angularity and eccentricity are not likely to survive a process of attrition so thorough and direct, while it must be allowed that in particularly difficult cases this may occur at a university, where it is possible for a retiring man to become almost a recluse and for undesirable traits of character to remain uncorrected. The other advantage of this more intimate association is that it is to a greater extent conducive to esprit de corps, and invaluable asset in any service both from the individual and from the collective point of

The second course proposed is the least promising. It possesses most of the defects and few of the merits of a compromise. Assuming that the various objection, s both theoretical and practical, could be surmounted, it might be found on examination to offer certain advantages. It would, for example, be possible for a probationer to graduate in three years at Cambridge as a Bachelor of Laws and it is not inconceivable that the University of Oxford might consent to institute a special school to meet the requirements of the case. But whatever the expedients which it might be found possible to devise, the departure which would necessarily be entailed from the principles stated in Chapter III of the General Memorandum would alone, in the judgment of this Government, render it inadmissible. The issue, therefore, lies between the first and the third. The valuable results conceded to the former are, as has been pointed out, attainable also under the latter, and they are attainable, if not with the same degree of completeness and certainty, nevertheless with-certain compensatory and balancing circum-stances which possesses a positive and distinctive value of their own. It influess a more liberal element into the corporate spirit, and, if it is less intensive, it opens a wider horizon of experience. Finally, it involves no additional expenditure, whereas the great cost of a separate college would impose a very appreciable burden upon Indian revenues. These considerations taken in conjunction with the general arguments in favour of the superior educative value of a cueral as against a specialized training should finally assign the verdict to the former.

If this is accepted, it only remains to discuss practical expedients. The fact that only three practical expedients. The fact that only three practical expedients are generally regarded as requisite for the hippest accelement qualifications, make be trankly admitted as a regretatiole but manoidable necessity. The more cogent con-

siderations in favour of an early arrival in India, which have already been dealt with in detail, which have already been deals with in detail, preclude what may be regarded as an ideal condition. In this case practical necessities must prevail, and they are by no means incon-sistent with the substantial realization of the principles enunciated by the Macaulay Comprintitee. In a course of three years it will be possible to secure a degree which could include honours either in a Tripos at Cambridge or in Moderations at Oxford.

In order to secure a proper degree of industry on the part of the probationers, it is proposed that the results of their academic course should be taken into consideration along with the to taken into consuleration long with the results of the competitive examination in determining their seniority in the service. The details of this proposal need hardly be elaborated in this place. Some difficulties might be presented in instituting a comparison between the trespective values of the various kinds and grades of honours conferred by separate universities, but these would not be insuperable.

In regard to the unsuccessful candidates. referred to at the close of the previous section, it will suffice to indicate here that their training must depend upon the particular department of must depend upon one paraconnar departments on the public service for which they may be intended. There may, in any one year, be vacancies in several of the services, and it is considered that, in order of merit at the Indian Civil Service Examination at which they were unsuccessful, a choice may be given to the candidates. For the Educational Service, the obvious course of study is a degree at the university. For the Forest department the course would probably be one leading up to the examination at present held for forest officers. It would be premature, and is unnecessary, to go in detail into a question which will come under discussion, if the present proposal so far as it relates to the Indian Civil Service is entertained, in connection with the Commission's enquiry into the recruitment, etc., of the other services

. VII. As shown in the Note at the end of this Memorandum the net additional annual cost will ultimately, after 3 years, come to about Rs. 75,000. This does not take into account the annual sum which should, as heretofore, be paid to each student during his university career, since there is no novelty in that arrangement; but it is considered that the stipend should be £200 a year instead of £150. The scholarships have been pitched at a figure calculated nearly, but not quite, to pay all the expenses incidental to the school and university careers of Indian students. It is considered that to do more would go beyond what is justified by the circumstances of the case, while to do less would be to deprive a certain number of suitable caudidates of the possibility of availing themselves of the advantages offered. It may indeed be objected, not without some weight in the argument, that the State is not justified in financing the education of the prospective Indian official since (and so long as) it does nothing for his English contemporary. The Government of Lord Sydenhan hope, however, that such a view will not be allowed to prevail in the face of the reasons urged in justification of a measure of State organization designed to give really suitable training to the Indian aspirant to the higher grades of the public service. Viewed from this standpoint, and from the point of view of the advantages to the public service itself, the additional annual cost involved, which is nearly three-quarters of a lakh of rupees, seems to this Government to

be a negligible factor in the case, VIII. The advantages claimed for the scheme as elaborated above will now be summarized. But Government desire that it be clearly understood that, from the point of view of efficiency of the administration, they do not urge it upon the Commission as having features of absolute superiority over that obtaining now, and that it must be recognized that it is open to much adverse criticism by the advocates of unrestricted competition; but they claim that it is a practical, self-contained, scheme which obviates a serious blot on the present system, namely, the failure to secure the best Indian material for the administration and to train it up in the manner best calculated to place it in line, and able to challenge comparison, with English material

Viewed solely from this standpoint, it is

claimed for the scheme that-

(1) it ensures an admixture of Indians year by year in the higher grades of the public service slightly in excess of that secured by them hitherto; while it still leaves the way open to all other Indians who choose to comply with the conditions imposed on English and Indians alike, mr., education at, and selection from, one of the scheduled public schools of the empire;

(2) it secures that those Indians enter upon the service equipped in all respects identically and on the same plane with their British fellow-subjects;

(3) it devotes State money to securing these objects;

(4) it gives ground for hope, as a result of (2); that Indians may prove themselves, when they have been given a satisfactory training, in all respects the equals, as administrators, of their English colleagues.

It is claimed in fact, that, in a higher degree than any alternative scheme with which the Government of Bombay are acquainted, it clears the British Government of the repreach that they make no effort to place the Indian competitor upon a footing of advantage, in respect of the opportunities for fitting bimself for the public service, in every way equal to that enjoyed by the Englishman: and it does this quite appropriately at the cost of the Indian revenues.

The chief merit claimed for it, however, is that it goes to the root of the matter, in that it recognizes

(s) that efficiency in administration and not

capacity for passing examination, must, ultimately, be the test of the extent to which Indians may share the higher posts in the administration; and (b) that, instead of lowering tests, and so

risking a set-back for Indians, it is based on the principle best calculated to secure demonstration that the Indian share in those posts may safely be extended. IX. Some of the objections have been con-

sidered incidentally in the course of the elaboration of the scheme; and the Bombay Government desire to make it perfectly clear that they labour under no delusion as to the popularity of the proposals, which are open to effective criticism upon several sides. It may, however, be useful to indicate replies to three of the objections that will certainly be urged, and which have not been noticed above :-

(a) It will be represented as being unreasonable to expect parents to part with their children so early and send them to a foreign

The answer that obviously suggests itself is that parents already do this, and in increasing numbers; and that the reasons which actuate the parents who elect so to do are precisely those which have been unged in favour of the proceeding in the case of aspirants to high administrative office. A further reply is that it is precisely the willingness of Rugish parents to part with their eididren in order that these may be enabled to bears self-reliance and discipline away from home, which has tred in these the expactly for government which it is desired also to implant in selected Indians. It may be admitted at once that a corresponding proceeding on the part of Indian parents will imply in an even higher degree the qualities of self-sacrifice; but Government believe that these qualities will be found to exist.

(b) The scholarship-holders would become denationalized.

If this were really to be the result, the reply would obviously be that the indigenous national instinct must have been too feeble to be worth preserving, which is emphatically not the case.
What would really be meant by this objection,
if seriously urged, would be that the men, on
return from their education to India, would be too emancipated from many of the orthodox prejudices. This, indeed, might be a result in a percentage of cases; and the evil, in so far as it is urged as being an evil, may to that extent be admitted. But that very emancipation—in emancipation-in some of its aspects-is part and parcel of the results of a cosmopolitan outlook and liberal education wherever imparted. There is a difference in degree, no doubt, but not in kind between the case we are considering and that of the English boy who is educated largely abroad. He loses some of his narrowness and many of his prejudices; but he neither ceases to be an En-glishman nor loses his national traits nor his love of country

(c) It has been suggested that Indian boys, if sent at the age proposed in this Memorandum to England, would be neglected during the holidays and acquire habits of independence which, combined with complete separation from home influences and family traditions, would result, on their return to their native country, in complete estrangement from their parents and even insolence and disrespect, This suggestion is believed to be of the same category as the denationalization objection which has been dealt with in the foregoing paragraph; but it is also open to refutation in the light of actual experience, It is the common complaint of Indian parents that their sons who attend schools in India and who, pursuing their education beyond the primary classes, are obliged, for their secondary and higher education, to reside in hostels attached to high schools and colleges, lose the habit of filial respect and acquire habits of which their parents cannot approve; but the majority of those parents admit that this result is due to the absence from the hostel organization of a the absence from she messes organization of a proper system of disciplinary control. In England, under the scheme proposed, this defect would not exist during the school-term, while the scheme of scholarships has been deliberately pitched at a rather high figure in order to admit of suitable arrangements being made for the care of boys during their holidays. The responsibility for making arrangements to

source this would rest upon the India Office organization. Actual experience of individual cases, in which suitable holiday arrangements have been made, and in which the schooling has been of a consistent and continuous character, shows that the fear is without real foundation, and thus boys who return home after a really estisfactory and uninterrupted school and university excert are less obnoxious to this criticism than are the products of the bestel system in India.

These points are, however, mentioned in order to indicate that the Indian view, at first sight, of the proposals worked out in this Memorandum must, almost inevitably, be unfavourable. There. is room for hope that mature consideration may result in a less hostile attitude, especially when it comes to be realized that it not only secures to Indians the position in the Indian Civil Service to which they have attained, but also admits them automatically into the superior service of other departments; and that its whole objective is to provide such a scheme of preparation that it may be possible, with due regard to the efficiency in all respects of His Majesty's Government in India, very materially to expand the opportunities to Indians at no distant date. Finally, it is desirable to reiterate the statement, in paragraph VIII (1), that, side by side with a guarantee of a minimum number of admissions there is under this scheme no limit to additional admissions of Indian boys who, by going to one of the scheduled schools in England, and by displaying the requisite qualifications, merit by their attainments selection by their Head Masters for candidature for the Indian Civil Service.

X. In conclusion, this Government considers that there would be real advantages in applying the modified scheme of recruitment for Indian Civil Service also to the clerkships of the India Office which are at present filled by open competition from the successful candidates at the Home Civil Service Examination. believed that there would be advantages in a system which would recruit the officers at the India Office in the same manner and from among the same candidates as the Indian Civil Service. Transfers between the staff at the India Office and the staff in India would then become possible; and there would be a community of interests and of esprit de corps which could hardly fail to react to the advantage of India and the Indian administration

XI. To its only necessary to add that, in the calculations, in panergaph V (4), upon which is inseed the estimate of the number of sobolarships to be reserved for Indians annually, the Bombay Government have proceeded upon the past averages, and have taken the period most favourable to Indians, because that was the only safe basis upon which could be built a concrete scheme. The conclusion, expressed on page 606 ante, that the average of the past ten years is "as high as \* \* \* can be regarded as safe, with due regard to the necessity for maintaining the present high estander of efficiency "is not to be taken as the matured critical of this Government in respect of the actual proportions which the conditions of Indians a whole may justify; and, as will be seen from the concluding sentences of paragraph XI (3) and from praregaph VII (4) and view praregaph VII (4) and view praregaph VII (4) and view praregaph VII (4) and view pr

years to come, be comparatively small, and since the Bombay Government accept the view that · an enhancement of the percentage of Indian admissions is desirable, it follows that they are quite prepared to enderse such enhancement of the number of annual scholarships as will bring the total Indian admissions up to the proportion which may eventually be determined on as a result of the enquiries of the Commission. The Bombay Government have, in fact, presented a concrete scheme based upon actuals by way of tellustration of the working of their proposals tellus ratio as an indication of the precise number of scholarships they proposa. It is upon the alternative method of recruitment and training that they desire to lay stress, not upon the precise number of scholarships and Indian

#### Note referred to in paragraphs IV and VII of the Memorandum.

It is proposed to grant six scholarships every year at the following rates:-

ear as ane concerning rates:—

(a) One scholarship at £250 a year,

(b) Two scholarships at £200 a year each,

(c) Three scholarships at £100 a year each,

The additional annual cost involved in the fourth and subsequent years when the scheme will be in full working order will amount to-

Add-

Cost of free first class passage to England and back for the six scholars-(2 x 741 x 6)

> Rs. 74,892 Total cost per engum

Extra expenditure intolped in the proposals for post-examination training.

It is proposed that the stipend should be £200 a year for three years instead of £150 for one year at present. The extra expenditure for every selected candidate for the first year will be £50 and for the second and third year £200 each or in all £450.

The average number of candidates admitted into the Indian Civil Service for the last ten years is 54.

The total cost involved will therefore amount

54 × £450 = £24,800 = Rs, 3,64,500 per enun.

## APPENDIX V.

Egaminations of Assistant and Deputy Collectors referred to in Memoranda prepared by the Bombay Government.

## CHAPTER I.

## SECTION I. .

\*RULES RELATING TO ASSISTANT COLLECTORS.

### Introductory Rules. .

1. Every gentlemen appointed in England to be a member of the Civil Service of the Presidency of Bombay Report to be made by Civil Servents on arrival. shall, immediately on arrival at Bombay, report himself to the Chief Secretary to Government,

or, in his absence, to the officer in charge of the Separate Department. Orders will then be issued posting him to a district as an Assistant Posting of Civil Servants after report of arrival. Collector and investing

him with the powers of, a Magistrate of the Third Class.†

The salary of an Assistant Collector will be Rs. 400 per messem from the date of arrival, Salary of Assistant Collectors posted after arrival.

from the date of his passing to Rs. 450 increasing to Rs. 450 passing the Departmental Examination, Lower Standard, and to Rs. 500. from the date of his passing the Departmental Examination, Higher Standard, and being invested with the full powers of a Magistrate.

4. An Assistant Collector is required to

разв-

(1) within 15 months of his being posted as an Assistant Collector Assistant Collectors rean examination in the quired to pass examinations in Hindustini and in one of vernacular language: of the district to which the vernacular languages.

he is posted, and (2) within 24 months of his being so posted an examination in Hindustáni.

Failure to pass either of these examinations within the prescribed period shall render the Assistant Collector liable to a deduction of

Government Resolution, Revenue Department, No. 6265, dated 22nd June 1908.

† Government Resolution, Bevenue Department, No. 9821, dated 9th October 1997.

dated bit October 1907.

Olficace on passing the Lower or Higher, Standard of examination shall, as a rule, but described, respectively, as a rule, but described by the control of the control of the control of the control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the called control of the investioner with called control of the investioner with called control of the investioner with called control of the called control of the investioner with called control of the investioner with called control of the investioner with called control of the investioner with called control of the call antidation of the Local Government that investiture with higher powers ought to be deformed, than the more passing of the constitution will not establish a still to higher pay, me shell such higher pay be granted until the investiture with higher powers takes place (Acceletion of the Government of India, No. 677, taked 90th January 1871). Towners of Second Glass Magistrato are not to be conferred.

Fowers of a feecoal Class Magistrate are not to be configured upon an office multible has exercised the powers of a Magistrate of the Third Class for six months; and powers of a First Class Magistrate are not to be conferred upon an efficer until he has concluded the powers of a Magistrate of the Second Class for the same period; provided that no officer shall be suitified to a

the same print, provided that no offerer heal be settlifed to a lighter most of pay years of execution, higher power unless be has pared in all the subjected of causination by the Lower or Higher Standards as the time are pay of Reduction of the Government of India, No. 2000, detail Phil James 1871. He of Government of India, No. 2000, detail Phil James 1870 them to pay his examination within the presented period should be made from the first days of the month following: what in which the first examination is held after the completion of the proid widths which he should pass to the hast day of the month proveding, that is which the section which which he when the proveding that is which the section of the proveding that is which the contract of the proveding that is which the contract of the proveding that is which the section of the proveding that is which the contract of the proveding that is which the contract of the proveding that is which the contract of the proveding that is made or with the provider of the provider

10 per cent. from his salary until he passes the examination, provided that Government may for Revised Compilation of Rules relating to the special reasons extend the period prescribed for either examination.

> The vernacular languages of the districts are declared to be as follows :-

> > Ahmedabad, Panch Mahals, Kaira, Broach, Sarat

Guiarhti.

Thána, East Khándesh, West Khándesh, Násik, Ahmednagar, Poona, Sátára, Sholápur, Rat-nágiri, Kolába Bombay ...

Maráthi. Maráthi

Oujaráti at the option of the officer concerned.

Kánara, Belgaum, Dhárwár, Bijápur All districts in Sind Kánarese.

5. (1) In addition to the examinations in

language prescribed in Rule 4 an Assistant Col-Assistant Collectors Assignit Concerns
further required to pass in
the vernaculars of the
districts to which they may
be transferred; grant of a lector of less than ten years' standing, who is transferred from one reward for passing in com-pulsory and optional district to another district in the vernacular of which he has not passed,

will be required to pass in the vernacular of his new district not later than at the first examination held after the expiry of one year from the date of his transfer to the district; and, in the event of his failing to do so, he will be liable to the penalty, subject to the proviso, mentioned in Rule 4.

(2) An Assistant Collector, whether of less than ten years' service or not, having passed the examinations prescribed by Rule 4 and clause (1) of this rule, may, with the permission of the Commissioner of the Division, or in the case of an Assistant Collector serving in Bombay with the permission of Government, appear for ex-amination in a second vernacular spoken in the district in which he is serving.

(3) No reward shall be payable for passing in the languages which an Assistant Collector is required to pass under Rule 4, but when these have been passed, a reward of Rs. 500 shall be payable in the following cases:

- (i) when an Assistant Collector passes in any vernacular which he is required to pass under clause (1) of this rule, provided he does so within the period prescribed by that clause;
- (ii) when an 'Assistant Collector passes any vernecular examination for which he ispermitted to appear under clause (2) of this rule; and
- (iii) when an Assistant Collector of more than ten years' service is transferred to a district in the vernecular of which he has not passed and passes in that vernacular not later than at the first examination

T Government Resolutions, Bevenue Department, No. 1227, dated 18th February 1908, and No. 8503, dated 22nd Septem-

held after the expiry of one year from the date of his transfer to that district.

Note—In any case in which the vernor are of the district is the Assistant Collector sown language, the Assistant Collector is now in the controller under citizen Rule d or Eule 5, and so reward is papalle to him for passing in it; and clause (3) of the first prairings for it? Rule 4 does not spely to and clause (3) of the first prairings for it? Rule 4 does not spely to an Assistant Collector whose own language is fill-ingential.

Except for special reasons an Assistant. Collector will not receive Assistant Collectors not Assistant Collectors not to receive charge of thlukas and be invested with Second Class Magisterial powers without passing Lower permanent charge of a táluka, or be invested with the powers of a Magistrate of the Second Standard Departmental Ex-

Class, until he has passed

the Departmental Examination, Lower Standard.

7. Except for special reasons an Assistant Collector will not be Assistant Collectors not to appointed to be or act Assistant Collectors not to be appointed Second Assist-ant Collectors or Assist-ant Judges, or Sessions Judges, and be invested as Second Assistant Collector or Assistant Judge and Sessions Judge, or be invested with the with First Class Magisterial powers without passing Higher Standard Departpowers of a First Class Magistrate, until he has mental Examination.

assed the Departmental Examination, Higher

passe. Standard.

8. An Assistant Collector desirous of entering the Judicial branch of the Service may, on Candidates for the Judicial branch required to pass in an extra Judicial paper. application made to the Secretary to the Permanent Committee for Departmental Examination one month before the date of the Depart-

mental Examination, Higher Standard, examined in an extra paper relating to Judicial matters as heremafter provided. The Assistant Collector will not by passing in this paper bind himself to enter the Judicial branch, but he will be freed from obligation to pass any other examination in Judicial matters.

 Substantive premetions to the grade of Second Assistant Collector as also officiating Promotions how regulated. promotions to this as well as to the grade of First Assistant Collector will, under ordinary circumstances, be regulated with under commany cardinassiness, he regulated according to the date of passing the Higher Standard Departmental Examination, however, will not entitle to promotion any one whose conduct is not otherwise satisfactory. The names of officers holding the substantive appointments of First and Second Assistant Collectors will be printed in the Civil List in the order of their

10. An Assistant Collector will not be entitled to travelling allowance Certificate for travelling for attending the examinallowance to examination ation unless the Pereandidates.

seniority in the service.

manent Committee for Departmental Examinations, or the Civil and Military Examination Committee, as the case may be, shall certify that his proficiency was such as to entitle him to the allowance.

Mots,—Certificates for travelling allowance should not be matted to candidates who obtain less than a half of the minimum number of marks required to pass.

 Government Resolution, Revenue Department, No. 5800, dated 28th June 1910. и 495—129

DEPARTMENTAL EXAMINATIONS.

Half-yearly† Departmental Examinations of Assistant Collectors

Half-yearly meetings of the Permanent Committee for Departmental Examinaand others who may be permitted to appear shall be held at Bombay or Poons under the super-

vision of the Permanent Committee for Departmental Examinations on such dates in June and December as may be notified to the examinces by order of the President.

Assistant Collectors should address the Secretary to the Permanent Committee for Departmental Examinations through their Collectors.

12. (a) The Permanent Committee Departmental Examinations will consist of the following members: -

(1) The Chief Scoretary to Government— President. Constitution of the Permanned Committee For Departmental Examina-(2) The Secretary in

the Revenue Department or, if he is the Chief Secretary, the Secretary in the Judicial Department.

(3) The Secretary to Government in the Legal Department.

(4) The Accountant-General.

(5) The Registrar of the High Court.(6) The Settlement Commissioner and Director of Land Records and Inspector-

General of Registration. (7) The Under Secretary to Government in

the Revenue Department. (8) The Under Secretary to Government in the Judicial Department.

(9) The Assistant Judge, Thána.

(10) The Collector of Bombay (for examinations held in Bombay).

(11) The Collector of Poons (for examinations held in Poona).

(12) The Assistant Collector, Bombay (for examinations held in Bombay).

(13) The Senior Assistant Collector, Poons for examinations held in Poona).

(14) the Oriental Translator to Government-Secretary.

(i) In addition to the permanent members mentioned above, the President is authorized to appoint on behalf of Government, as temporary members, such officers as are required to set any papers which are not set by any of the ermanent members. These temporary members should have rendered at least five years' service. The attendance of these temporary members at the examinations will not be required, but they will have to read and mark the various exercises on the papers set by them. One European officer from amongst the permanent members should attend during the examinations for vies voce and for general superintendence. The duty of attendance should be shared by the various officers. A Deputy Collector of experience may also be appointed as a member to assist in conducting viva voce examinations.

(c) The Revenue and Judicial papers, with and (c) The Revenue and Junean papers, with and without books, should be sent to the Secretary to Government, Revenue Department, and the Secretary to Government, Legal Department, respectively, for approval, and, if necessary, for revision in consultation with the officers who set

them,

† Government Resolution, Revenue Department, No. 4945, dated 17th June 1905. ded 17th June 1905. † Government Resolution, Revenue Department, No. 0359, dated 22nd September 1898,

13. There shall be two standards of qualification—the Lower and Higher. The Lower before a candidate can present hinself for

before a candidate can present miner in examination according to the Higher Standard. Lower Standard.

# (See Table 1.)

14. The principal objects of the Lower Standard of examination shall be to test the Lower Standard Operatmental Examination. Accountance with the

mental zenomanomacquaintance with the
leading principles of revenue administration
and criminal justice, and especially with so much
of the Laws of Procedure as it is necessary for
any officer to knew in order to exercise properly
the functions of an Aasistant Collector and
Magistrato, and his power of dealing with conflicting arguments and evidence. With these
objects the following scheme of examination is
left down—

(1) Papers on Revenue and Judicial questions are to be answered Papers to be set, etc. without reference

to any except the text (without commentary) of Regulations and Acts and the printed Rules for administration of Revenue Survey Settlements, and such other books of reference as may be prescribed by the Permanent Committee. The Revenue paper will include questions on the principles regarding the exemption of improvements from taxation, with particular reference to the summary of these principles as given in Volume III of the Survey and Settlement Manual and its Appendices. The questions will be so framed as not to involve difficult and rare points, or recollection of forms, dates, etc., but must be sufficient to test the candidate's general knowledge of the subjects of exemination. \*The Indian Evidence Act will also be a subject of examination, and questions in it are to be answered without books.

(2) fo) The candidate is to be required to show his knowledge of the accounts of a collectorate, whether village, takuka or hardr, and to have a satisfactory practical equations of the same state of in Symonds' revised edition of Hopp's Manual, and with the whole system of tressary and load in and accounts prevailing in the Presidency as given in the Grill Account Code, Volume I. The candidate will be allowed the use of the Origin Account Code with its index, and the questions to be answered from these books will be set in such a manner as to test the candidate's expectly to correct irrequirarities and solve problems that he is likely to meet with in his fally work.

(a) The candidate shall produce a certificate from the Collector of the district that he has duly attended to, and self-side forly discharged, the duties of Treasury Officer for a period of not less than six weeks in the twelve months immediately preceding the examination. No candidate shall be declared as passed without such certificate.

\* Government Resolution, Bevenne Department, No. 2618, dated 21st May 1872.

† Government Resolution, Boverno Department, No. 8386, dated 9th April 1912.

- (c) The candidate who has obtained in England a certificate of minimum proficiency in riding shall, when he presents himself for his Lower Standard Departmental Examination, produce a certificate from the Collector of his district that he can ride sufficiently well for the performance of his duties,?
- (8)§ With a view of testing the power of the candidate in dealing with conflicting arguments and ovidence, a cededed case, which he has never before seen (from a Magistrate's English record), of the nature of those which come before Assistants in charge of districts, is to be placed before him with a copy of the Indian Penal Code, the final proceeding in the case being withdrawn. The candidate must write out his decision upon the questions at issue, with a sufficient statement of the grounds on which it is based.

#### HIGHER STANDARD.

#### (See Table 2.)

15. The Higher Standard of examination shall be similar in its nature to the Lower, but more difficult in degreemental Examination. Its object shall be to test

the fitness of the condidate to transact creditably the ordinary business of a Collector and Magistrate, and the examination will be conducted in conformity with the following scheme:—

(I) Questions of law and practice are to be selected from the Papers to be set. whole range of the duties of a Collector and Magistrate, and arranged in two classes: one compreheading important and leading points, in answering which no books shall be allowed; and the other comprehending less general and less common points, in answering which the assistance of books shall be allowed. No guides, digests, or summaries, however, are to be used, but only the original laws, circular orders, and interpretations, with rules relative to different departments printed by authority. The object of this class of questions is to test the candidate's capacity readily to find the law or practice in the less common points which arise in business. It is not to evoke subtlety or ingenuity, but morely to ascertain whether or not the acquisitions of the person examined are such as to enable him fitly to perform the import-ant functions of a Magistrate and

Collector.

(2) A Magisterial case is to be selected from those possessing enough of complexity to tast the candidate's adulty to master all ordinary difficulties, and especially to test his power of minute attention to, and just appreciation of, evidence. The course hald down in sub-para. 3 of the preceding Ruis (13) should be adopted.

(3) (a) The candidate is to be examined relative to revenue administration, and especially the principles of a Survey Settlement, and the rules laid down for

f Berenue Department Circular No. 581, dated 25th January 1899. § Government Resolution, Revenue Department, No. 4876,

§ Government Resolution, Revenue Department, No. 4876, dated 16th July 1902. ¶ Government Resolution, Revenue Department, No. 4876, dated 16th July 1902.

the guidance of Revenue Officers in connection therewith. The papers, with and without books, will contain questions on the principles regarding the exemption of improvements from texation with parti-cular reference to the summary of these principles as given in Volume III of the Survey and Settlement Manual and its Appendices.

\*(b) The candidate shall be examined in a paper on subjects connected with Revenue

Survey and Settlement.

The paper on Survey and Settlement will include questions on the subjects dealt with in-

(I) Volume I, Volume II (Parts I and II) and Volume III (Part III) of the Survey and Settlement Manual;

(2) The Land Revenue Code, Chapters VIII, 1X and X, and the rules under section 214 of the Code relating to the provisions of those chapters, together with all recent (1) Fide H. V. Sathe's orders annotated edition of the Land Revenue Code. and rulings(1) of Gov-

subject of Survey and Settlement. (3) The latest Red Letter Chapter in the General Administration Report of the Bombay Presidency on the character of Land Tenures and System of Survey and Settlements.

ernment on the

(4) Government Resolution No. 2619 of 16th March 1884.

(c) No Assistant Collector serving in the Presidency proper shall be declared to have passed the Higher Standard Departmental Examination until he produces certificates that he has undergone a three weeks' course of instruction in survey under a Divisional Superintendent of Land Records and Registration and a three weeks' course of instruction in agriculture under the direction of the Director of Agriculture and has acquired a fair practical knowledge of these subjects.

For the purposes of these courses the text-books to be studied are Volume I, Volume II (Parts I and II) and Volume III (Part III) of the Survey and Settlement Manual and Volumes I and III of Mr. Mollison's text-book on Indian Agriculture; but the instruction will be as far as possible practical and in the field.

(d) No Assistant Collector serving in Sind shall be declared to have passed the Higher Standard Departmental Examination until he produces a certificate of attendance at the Survey Class at Hyderabad.

(4) The candidate is to be tested in the Penal Code, the Oriminal Procedure Code, the High Court Criminal Circulars (the Sind Courts Criminal Circulars in the case of candidates serving in Sind),† the Police Acts, the Summary Settlement Acts, the District Municipal Act, the Salt Act, the Watan Act, the Opium Act, the Forest Act, the Abkari Act, the Bombay Revenue Code, the Local Boards Act, the Bombay Record-of-rights Act, 1903,1 and other

Acts and Regulations commonly referred to in practice.

(5) The candidate will also be examined in Mr. Field's Law of Evidence in British India, the examination being limited to the part which deals with general prin-ciples only, and the Indian Evidence Act and the Indian Contract Act (Nos. I and IX of 1872), the questions in which should be answered without books. §

(6) The candidate will be examined in a paper on subjects connected with the Indian Registration Act, the Indian Stamp Act and the Rules laid down thereunder and sections 54 and 59 of the Transfer of Property Act.\*\*

The extra paper on Judicial matters described in Rule 8 will Exercination in extra Judicial paper, consist of questions on the following subjects:-

The Civil Procedure Code. The Law of Limitations, The Law of Contracts. The Law of Evidence.

The Specific Relief Act, the Indian Succession Act, the principles of Hindu Law, and the leading cases decided by the Bombay High Court.

The marks obtained in answering this extra paper will be reckoned towards the Assistant Collector's passing the Departmental Examination, Higher Standard, provided the minimum in all other branches of examination has been duly attained

## LOCAL COMMITTERS.

17. On application made one month previous to the ordinary date of Local Committees. an examination, Local Committees will be appointed for the examination of candidates stationed in the Province of Sind, the Persian Gulf, or Arabia.

 The Permanent Committee for Depart. mental Examinations will Precodure to be followed. fix the half-yearly examby the Permanent Com-mittee when Local Comination days. If local mittees are appointed. examinations are sanc-

tioned, they must be held on the same days. The Permanent Committee shall prepare beforehand for each examination sets of questions, a sufficient number of copies of each of which sets shall be forwarded to each Local Committee in a scaled packet, not to be opened until the moment of examination. The Permanent Committee shall, subject to the general control of Government, frame rules for the general guidance of the Local Committees in order to insure a fair and uniform method of fixing the degree of attainment upon each point of examination.

19. The Local Examination Committee will consist of the chief Judi-Constitution of the Local
Committee for Departmental Examinations.

Officers of the district, Officers of the district, the senior of whom shall

be President; and the other members shall consist of one experienced Native Officer from the Judicial, another from the Revenue Branch of the Service, and a third from the Educational

Government Resolution, Revenue Department, No. 8499, dated 3rd December 1902.
 † Government Resolutions, Revenue Department, No. 4109, dated 3th May 1910, and No. 8508, dated 22nd September

Government Resolution, Revenue Department, No. 5744. dated 5th July 1904.

<sup>§</sup> Government Resolution, Revenue Department, No. 7251, dated 13th October 1886. ¶ Government Resolution, Revenue Department, No. 2018, dated 31st May 1872.

ted 31st may 2012. | Government Notification, Berenne Department, No. 7841, dated 16th November 1887.

\*\* Government Resolution No. 6684, dated 6th July 1907.

Department. When the chief Judicial or chief Revenue Officer is unable to attend, an experienced Assistant or Subordinate will perform his duties as member of the Committee. In Sind, where the examinations will be held at Karachi, the Assistant Commissioner will be a officio Secretary to . the Local Committee, the President and members of which will be appointed by the Commissioner of that Province.

20. (a) The Local Examination Committee will conduct the examin-Buties of the Local Exations and, after due amination Committee. deliberation in respect of

each candidate examined, will record the result so far as regards the points on which their report is due, and the President shall transmit the record to the Permanent Examination Committee. The President will be responsible for the fairness, importiality and proper strictness of the ex-amination. The written answers of the candidates and the other papers written by them shall be forwarded with the record.

(b) To preserve uniformity of standard in the examinations held by the Permanent Committee and those in Sind, the same magisterial case will be set to the Sindhi candidates as is set in Bombay.

Note.—The Revenue papers for all Sind cambidates, including Assistant Collectors serving in Sind for the time being, will be prepared under the orders of the Commissioner in Sind and the marks for the replies assessed by the Leeal Committee.

(c) All papers set by members of the Perma-nent Committee, and the answers to which are to be examined and marked by such members, will be sent under scaled cover to the Secretary to the Local Committee, who will return under scaled cover the answers to the Secretary to the Permanent Committee for assessment of the marks, and the decision whether a candidate has or has not passed will rest with the Permanent Committee.

21. The Permanent Examination Committee shall report to Government the names of such candidates as have successfully passed.

## HINDUSTANI AND VERNACULAR EXAMINATIONS.

Examinations in Hindustáni, Maráthi, Gujaráti and Kánarese

Conduct of examinations should be held by the in Hindustici and verna- Civil and Military Excular languages. amination Committee and examinations in Sindhi and Arabic should be held by the Local Committees at Karáchi and

Aden respectively. 23, The Civil and Military Examination Committee will meet on the first Monday in every month to conduct examinations in Hindustáni Maráthi, Gujaráti and Kánarese. Should the

first Monday of a month fall on one of the guzetted holidays, the examination will be held on the following Monday or, if that is also a gazetted holiday, on the next working day thereofter.

Note,-The term "gazetted helidays" should be held to

inter—
(i) belinksys pentribed en notified under nettien. Sof the Neptimbo Latrimureth Act, 1881;

Neptimbo Latrimureth Act, 1881;

(ii) belinksy are midsb, by Government notification in the Gentle, any pedie office is entired to be clean for the transaction of public behinds without reserve or qualifocuties. The term does not include board health and have may be greated as the officient on it hand a foots, pervisel, that personal the transaction of health and foots, previded that period to the continuous period of the continuous publishes as the but between of each menti-

\* Government Resolution, Revenue Department, No. 2009, dated 9th July 1881.

Ø.;

Assistant Collectors desirous of attending the examinations should send in their applications to the Committee through the head of their department at least 15 days before the date of examination. When an Assistant Collector who has been granted permission does not propose to avail himself of such permission he should intimate his change of mind to the Civil and Military Examination Committee at least 7 days before the date of examination so as to save unnecessary trouble to the examiners.

The Local Committee at Karáchi will meet for examining candidates in Sindhi whenever directed by the Commissioner in Sind to do so.

A candidate who fails in the examination will not be allowed to present himself again for a period of two months.

24. The examination Standard of the examinain Hindustáui shall contions in Hindustani and tain the following exervernacular languages. cises:-

Marke (I) Translation sind socs into English from a fairly written Hindustáni

letter or petition (2) Written translation into Hindustáni from an ordinary English narrative or from a letter or petition or a Government order

regulation ... 100 (3) Conversation on ordinary subjects, including commercial, revenue and magisterial matters, to test the candidate's capability of understanding and making himself understood in a conversation

on such subjects

... 100 Total

Note.—A candidate who obtains 60 per cent of the aggre-gate marks (i. c., 160) will be considered to have passed the examination, Examinations in the vernacular languages (viz.,

Maráthi, Gujaráti, Kánarese, Sindhi and Arabie) should be according to the standard shown below:-

1. Translation from English ... ... 100 12. Translation into English of a vernacular passage and writing a summary in English of vernacular

papers read out to the candidate. 100 -3. Reading and explaining native
papers, and conversation (in cases of local examination according

to report of Local Committee) ... 150 Note (1).—A candidate who obtains 60 per cont. of the aggregate marks will be considered to have passed the examination, and a candidate who obtains at least 75 per cont. of the aggregate marks will be considered to have passed the examination, and a candidate who obtains at least 75 per cont. of the aggregate marks will be considered to have passed the examinations. ation with credit

ation with credit.

Note (2).—The papers for translation from English and into
English will be of a general literary character while the circl
cres examination with the derected to subjects more immediately
connected with the dependant in which its candidate is
exriting. The test in the verancolar examinations will be

serving. The test in the versussing commissions will be comprehensive and state a regardle consecution, reading and emperatures of the state at regardle consecution, reading and emperatures and extensive properties of the state of the stat the Local Committees.

<sup>†</sup> Government Resolution, Revenue Department, No. 3385, dated 0M April 1912. † Government Resolution, Revenue Department, No. 4876, dated 16th July 1992.

## TABLE 1. LOWER STANDARD.

Harks. to 1. (a) Judicial questions, be answered with books (b) Judicial questions including 150 questions on the Indian Évidence Act, to be answered without books 50

2. Magisterial case 3. Revenue questions 150 4. (a) Paper of questions on Trensury and Local Fund Accounts

(with books) ... 75 (b) First voce in Revenue Accounts...

Aggregate Marks ... 500

## TABLE 2.

# HIGHES STANDARD.

Marks 1, Judicial questions, to be answered with books 2. Judicial questions including ques-

tions on the Indian Evidence Act and the Indian Contract Act. to be answered without books 3. Mr. Field's Law of Evidence in 100

British India ... estions on subjects connected with the Indian Registration 4. Questions on Act, the Stamp Act and the rules laid down thereunder and sec-

tions 54 and 59 of the Transfer of Property Act ... ... 100 5. Magisterial case 50 6. Revenue questions with books 150

Do. without books ... 150 8, Paper on Revenue Survey and Settlement matters ... ... 100

> Aggregate Marks ... 800 Add—Extra Judicial paper ... 150

950 Note 1.—(a) A candidate who obtains at least one-half of the marks under each hand and at least 50 per cost, of the aggregate in the subjects affered in the sammation will be considered to have passed unless the Permanent Committee for special reasons reported see fat to rule otherwise.

reported are fix to rule ollustration.

(i) A candidate who obtains at least 75 per cent, of the aggregate marks debinable will be considered in laws passed the examination world credit.

Note 2.—The following are the beath under which the subjects of smallation are arranged, each bend being considered so one achieves when colemating the minimum mark crediting a continuous marks.

In the Lower Standard... I .-- Judicial, Nos. 1 and 2.

II.-Revenue, No. 3 Ili — Accounts, No. 4.
In the Higher Standard—
I.—Judicial, Nos. 1, 2, 3, 4 and 5,

I.— Bullein, Nos. 1, 2, 5, 4 and §.

II.— Revenue Survey and settlement No. 5.

First Structure Survey and settlement No. 5.

First Structure Survey and settlement No. 5.

First Structure Survey and settlement No. 5.

First Structure Survey and settlement No. 5.

First Structure Survey and Structure Survey and Structure qualifying marks east of the aggregate tests for all the subject and pusses in all the subject in the survey and pusses in the subject in the survey and survey an time within three months after the cate of electration of his having failed in it. The candidate will then be examined in that subject at such place as Government may direct and it bring a candidate at the Lower Standard Departmental Exam-isation be passes he will be estilled to appear for the Higher Smadard at the next enseing General Examination.

#### SECTION II.

† RULES FOR THE ENCOURAGEMENT OF THE STUDY OF ORIENTAL LANGUAGES AMONG THE JUNIOR MEMBERS OF THE BOMBAY CAVIL SERVICE.

The rules published in the Bombay Goverament Gazette of the 23rd July 1868, Part J, Parmer tules especified pages 682-8, are can-celled.

2. The standards of examinations and donations to be given to suc-cessful candidates will be Standards of examinations and densificus. as'follows :-

Ra. Ambic Sanskrit Persian 800 Higher Standard. 890 ... 800 Marathi 1,500 Gujarati ... Kanarese ... 1,500 ith certificate from the Pre-With ٠., Righer Sinihi 1.500 siding Exam-Proficiency. Person ... 2,000 ineva. Aralie Sanskrit ... 2,000 ... 3,000 ... 3,000 Marathi With Vith diploma from the Gov-Gujarati Kanarese Degree of Persian ... 5,000 ernment of Ambie 5,000 India. Sanskeit ... 5.000

3. No Civil Servant will be permitted to present himself for examination

Candidates not to appear by two standards of the simultaneously for 207 same language simultwo standards. tanecusly, but he may have the option of competing for the higher

examinations in any languages without first undergoing any inferior test.

4. No Civil Servant will ordinarily be permitted to appear more Candidates not to appear than twice as a candidate more than twice.

at any examination; but, if a special recommendation be made by the Examiners, a candidate will be allowed to appear a third time.

5. No Civil Servant will be allowed any pecuniary reward for passing the Higher Time within which candipassing the Higher Standard and High Prodates can appear for examinntions. Examinations

ficiency after the expiration of ten and fifteen years, respectively, counted from the date of his first arrivel in India. No exception to this rule will be made on account of leave or any other cause. Civil Servants may be permitted to attend the examinations after the expiration of the periods specified in this rule, but no reward will be granted to them if they pass; and their leave must be limited to such time as may be necessary to enable them to attend the examination, and no extra expense must under any circumstances be caused to the State. In such cases it will be within the competence of the Local Government to refuse applications for permission to attend any particular examination when compliance with such applications would involve inconvenience to the public service. Civil Servants who pass the examinations after the expiration of the periods specified will be entitled, however, to the usual certificate declaring the successful result of the examination. In the case of an examination for the Degree of Honour Standard there shall be no limit of time and an officer will be permitted to earn a reward by passing this examination at any time within the period of his service.

† Government Resolutions, Revenue Department, No. 1991, dated Sist January 1907, and No. 5902, dated 20th September

Government Resolution, Revenue Department, No. 8464, dated 2nd Rovember 1994.

Civil Servants who may have passed examinations under any Candidates passed under former rules not allowed to former rule shall not be eligible to compete at

corresponding examinations in the same language or languages under these rules.

Native Civil Servants, competitive or statutory, not to receive denotions for

Civil Servants who are natives of India, and who have entered the service either by competition in England or by appointment under the passing in the vermetulars of the districts in which Statutory Rules, shall not they nere born or educated. receive the donations prescribed in these rules

when such native civilians pass in the vernacular of the district in which they were born or educated, Government determining in each case what languages come within this definition. Probationers under the Statutory Rules shall not be allowed to appear at these examinations.

The Civil and Military Examination Committee will meet on the first Monday in every Date of examinations,

month to conduct examinations according to the Lower, Higher, High Proficiency and Degree of Honour Standards, Protection and Degree of Motion Communications in Persian, Arabic and Sanskrit will however be held only quarterly on the first Monday in January, April, July and October. The Committee will also hold special meetings whenever directed to do so, either by His Excellency the Generator or the Licenteguant-General Communication of the Excellence Resolution of the Communication of the Excellence of the Communication of the Excellence of the Exc Commanding the Forces, Bombay, for the examination of any candidate or candidates who caunot attend during the regular monthly or quarterly sittings. Should the first Monday of a month fall on one of the gazetted holidays the examinations will be held on the following Monday or, if that is also a gazetted holiday, on the next working day thereafter. Civil Servante desirous of attending examinations must apply for leave to do so at least three months before the date of examination. When a Covenanted Civilian who has been granted permission to appear for examination does not purpose to avail himself of such permission, he should intimate his change of mind to the Civil and Military Examination Committee at least ten days before the date of examination so as to save unnecessary trouble to the Examiners.

Note I .- The term "gazetted holidays" should be held to

holidays prescribed or notified under section 25 of the Negotiable Instruments Act, 1831;

Note II.—The officers named below are authorized to sanctice applications for leave to attend examinations in the case of officers subcritisate to them who have not exceeded the limits of time laid down in rale or

The Commissioner in Sind The Commissioners of Division

The Commissioner of Customs, Salt, Opium and A'bkari, The Settlement Commissioner and Director of Land Recards,
The Director of Agriculture and of Co-operative Coedit-

Socioles, The Collector of Bombay, The Political Resident, Aden, The Agent to the Governor, Kathianar, The Political Agent, Kelbayur and Soctborn Maritha

Government Notifications, Bovenue Department, No. 3439, dated 2nd April 1908, and No. 5020, dated 30th May 1911.

The Political Agent, Mahi Santha, The Political Agent, Edinapor, The Honourshie the Chief Justice, High Court (as regards the District Judges and Assistant Judges),

The Inspector-General of Police, The Inspector-General of Prison

The Judicial Commissioner of Sind. 9 (A) .- The following are the subjects of

azamination for Subjects of examinations by the Higher Standard. Higher Standard Sanskrit and Persian :--

(g) Constraing, with readiness and accuracy, from the undermentioned books :-Sanskrit ... Rijn Patha

1. A selection from the "Tarikh-j-Sasaniyan."

 A seketion from the "Safar Nama-i-Shah-i-Iran." Persian 3. "Narrative of Mrs. Hortested" translated by Itimad-us-Sultana.

Note.—The three Persian selections are bound in one volume entitled the "Hadiqu-yi-Pataint,"

(b) Translating accurately, and with correctness of idiom and grammar, not less than half an ordinary octave page of plain English into the language in which the examination is held.

(e) Reading manuscripts fairly, and trans-lating them readily and correctly. These manuscripts may be selected from the proceedings of a case in Court, from reports or petitions addressed to Civil or Military authorities, from letters passing in the ordinary course of business, or from private correspondence. They should not be written with the clearness of a printed book, nor yet in a very cramped or erabbed hand, but in such a manner as fairly and honestly to represent the written characters generally employed,

(d) Vivd voce translation into the language of a paper of English sentences, and (in Persian only) conversing in the Examiner's presence with a native of Persia, with fluency and with such correctness of pronunciation, grammar and idiom as to be at once intelligible. Sauskrit the colloquial test will be emitted.

9 (B).—The following are the subjects for the Higher Standard Examination in Arabic:-

(a) Translation from English into Arabic (written):

Note. This translation should be marked with the rowel points.

(b) First voce translation into Arabic of a

letter on a simple subject;
(c) Viva voce examination in the prescribed text-book (Ar-Rauzatu-z-Zakiya);

(d) Reading and translating an Arabic manuscript of moderate difficulty selected as in rule 9 (A) (c) above;

(e) Conversation of a simple character in Arabic with an Arab.

The following are the text-books prescribed for the High Profi-Subjects for the High ciency Examination, In Persian half the passages for translation will be

tions. for translation will be selected from the listed works and half from works of a similar standard of difficulty :-

(a) Prose-Mahádji Shinde yanche Maráthi

Charitra by Mr. Natu. Gad ala pan sinh gela by Mr. H. N. Apte.

((b) Poetry The tollowing selections from the Navanit :-1 Harischandrakhyan by Mukteshwar. Abli-Maráthi\* 2. Akroorágaman, manyu Fadh and Shriyal Charifra by Sbridhar, and 3. Gopichandákkyán Mahipati. Prose-1. Karanakele by Nandshankar; 2. Bhatun Bho-pálnu and By Naval-S. Akbar ane rám, Birbal. Gujaráti† Paelry— I. Nalákhyán by Premánand. Shámal as in Mahipetrám Ruprám's Kánya Dokan (Government edition). 1. Katha Sangraha, Parts II and III (extracts from Ship Purán and Mahábh(traf). Kánarcse† ...≺ 1. Torave Rámáyana, Sandhin XVI and XVII of Bálkánda. Sindhi version of Johnson's Rasselas by Mr. Keshori Sindhi Translation of Hunter's History of India. Shah-jo Rasálo. Nofhat-ul-Yaman Arabie Selections from Alif Laila. Hitepadesha. First nine cantos of Raghu-Sanskrit vausa (expurgated edition by Iswara Chandra Vidyáságar). Prose -Gulistán Sivabat-Nama-i-I brahim Beg Háji Bába Ispáhani. Asar-i-Ajam, Autobiography of the Amir Abdur Rahman. Malcolm's History Persia (Mirza Hairat). Mukalama-i-Sniyyat-i-Irani. Poetry-Diwan-i-Andalib Diwan-i-Sarkhush / (official edition), Persian Newspapers-Ittila. Iran. List of grammars recommended. Modern Persian Colloquial Grammar by Dr. Pritz Modern Persian Conversation

(a) Translating viva voce with readiness and accuracy from the prescribed textbooks and answering questions arising out of the passages in which the candidate is examined.

(b) Written translation into English of a previously unseen passage in narrative style selected from the current literature of the day.

Note.—This rule does not upply to Sanskrit. The passages set for translation from Arabic and Persian into English will not necessarily be in narrative style.

(c) Written translation, with accuracy of idiom and neatness of expression into the language in which the examination is held, of an English paper in narrative style.

Note.—The translations into Arabic should be marked with the rowsi points.

(d) Written translation of a preper of idiomatic sentences in English into the language.

Note.—The to The translations into Arabic should be marked with

(e) Conversation in the language (except in Sanskrit). In this portion of the test the candidate will be expected to converse freely and fluently on general subjects.

Note.—In the case of Arabic and Persian the candidate unset exhibit a competent knowledge of the modern spoken island. Candidates to Arabic will be required to converse with an Arab speaking pure drable. In the case of Persian the conversation may be with a native of Shiruz, Teherun or Gilan.

(f) Reading and translating at sight a manuscript in the language

(9) Find core translation at sight into the language of a paper in English placed before the candidate. This translation as it is made will be written by a munshi as dictated by the candidate who will be permitted to correct his translation when completed upon its being read out to him by the examiner, The time occupied in this exercise will be taken into account in awarding marks.

(A) A paper of grammatical questions.

11. The following Subjects for the Honour naminations. are the subjects for the

Honour Examination :- Bháratamrit, Part I, Sabhá-parva and Vanaparva by Balwant Trimbak Dravid. Shri Rámcharitra by C. V. Vaidya.

Amchya Ayushyátil Kánhi A'thavni by Mrs. Ramá-

hái Ránade. Dhormapars Vyákháne by the late Mr. M. G.

Ránade. 5. Skri Skankar Digjaya Natak by Balvent Pandu-

rang Kirloskar. 6. Uttarnaishadha Charit by

the late Mr. Waman Abaji Modak. Poetry 1. Dnyandera's Dnyanoskwari (extracts from the

12th and 13th Adhyayas as given in the Navanit, of 1910). #Government Resolution, Revenue Department, No. 6562

Tisdall.

Grammar (with key) by the Rev. W. St. Clair

Grammar of the Persian

Language by John T. Platts.

Marithit

Government Resolution, Revenue Department, No. 7385. dated 20th July 1968. 16orersment Resolution, Revenue Department, No. 6562,

dated 15th July 1912.

2. Moropant's Kekawali, 121 ehlokas in all (Nirnaya

Sagar Press edition).

3. Váman Pandit-Selections as given in the Navaint

edition of 1910, pp. 96-

143. Rámdás—Dásbodk, 1st and 2nd Dashakás, Dhulia edition 3rd, Shri A'tmsram Press, Dhulia. 5. Raghunáth Pandit-Nala Danayanti Swagamearákkyán, as given in the Navanit edition of 1910, рр. 381-410. Prose 1. Sarasvati Chandra, Parts I and II, by Goverdhan M. Tripathi 2. Shakuntal Nátak, Zeverilal Yajnik's edition. Gujaráti\* 1. Davárám-Miscellanco u s pieces, garbis and pads, Narmadáshankar's edi-Kávya Doken (Mahipatrám Ruprám's edition, pp. 151 to 490). 1. Mudrámanjusha. Poetry-1. Basava Parana, Sandhis Kánarese\* I to IX. 2. Jaimini Bharat, Sandhis I to V. Honnamma's Hodibadeya Dharma. 1st and 2nd Adhyays of the 1st Ashtak of the Rig-Ved Sanhita. Cantos I to VI and XI to Sanskrit XVIII. inclusive, of the expurgated edition of the Kirátárjuniya of Ishvar Chandra Vidyáságar. Shakuntala Nátak. Hamasah, 1st two Books, pp. 1-109, Calcutta edition. Arabic ... Timur Namah. Mukamat of Hariri, 1st half. Saba Maullakat. The Degree of Honour test in Persian will comprise the whole range of the language, and a knowledge of the classical as well as of the modern language will be demanded of the candidate. The following works are recommended for study:-Nasikhu-t-Tawarikh, Volumes I and X. Mirajhu-s-Saadat Safar Name-i-Shah-i-Iran. Akhlaq-i-Jalali, Shamsa-wa-Qahqaba. Durra-i-Nadiri Waqa-i-Nomat Khan-i-Ali, Akbor Nama. Poetry-Diwan-i-Hafiz. Government Resolution, Revenue Department, No. 6562, dated 15th July 1912.

Qasaid Qa'ani (official edition). Shah Nama Persian Muntakhab i Shaihani. Prosody and Rhetoric-Hadaiqu-I-Balaghat. Rhetorique et Procodie. Newspapers-Ittila. Tran Hablu-I-Matin

List of grammars recommended.

Modern Persian Colloquial Grammar by Dr. Fritz Rasen Modern Persian Con-

versation Grammar (with key) by the Rev. W. St. Clair Tiedall. Grammar of the Persian

language by John T. Platts. (a) A written examination in the prescribed

A written commenced in which will include questions in grammar (including philology) and prosody. In Persian half the passages for translation will be selected from the listed works and half from works of a similar standard of difficulty, (b) Written translation into English of

difficult unseen passages in prose. Note. The passages will, in all languages except Sauskrit, be selected from the current literature of the day.

(c) Written translation into English of

difficult unseen passages in verse.

(d) Translating into the language a difficult passage (or passages) in English with such accuracy, elegance and idiometic excellence as shall show eminent proficiency in the language.

Note.—The teanslations into Arabic should be marked with

the vowel points (e) Conversing with accuracy and fluency (except in Sanskrit).

Note.—In the case of Arnhio, the cauditate will we expected to converse with an Arab speaking pure Arnhio.—In the case of Persian the conversation may be with a native of Shiran, Teberan or Gilmo

(f) Reading and translating at sight a difficult manuscript in the language.

(g) Fied vece translation at sight into

the language of a paper in English placed before the candidate. This translation as it is made will be written by a munshi as dictated by the condidate who will be permitted to correct his translation when completed upon its being read out to him by the examiner. The time occupied in this exercise will be taken into account in awarding marks.

Burks. But 10 8 11—ha important part of Higher Station, High Problems and Degree of Jacous Results. Station, High Problems and Degree of Jacous Results. Station in Position control of testing the indight of anothless to the station of the station

12. The Honour Examination will be of a searching nature, and exercises, both oral and Nature of the Henour Examinations. written, must be performed with such excellence as distinctly to

establish a claim to eminent proficiency.

13. Successful candidates for the Degree of Honour shall be ar-Standard of the Honour ranged in two divisions Examinations, according to tle number

of marks obtained. For the first division 80 per cent, of the marks must be obtained in all subjects, and not less than 60 per cent. in any one paper; for the second division to per early one nuts be obtained in all subjects, and not less than 45 per cent in each paper. The reward and diploma will be granted only to those passing in the first division, and their names only will be published in the Gezette of India. Those passing in the second division will be deemed to have passed for the purposes of leave and travelling allowance rules, but they will not be allowed the benefit of those rules on a second occasion, should they elect to compete again for the reward of a Degree of Honour.

14. The foregoing Application of rules to other officers. rules apply to-

- (A) Military officers in permanent Civil omploy serving in the Eombay Presidency.
- (B) All officers of the Political Department of the Government of Bombay, including Military officers in permenent Political employ, who will be eligible for reward for passing examinations in the vernacular languages spoken in the Agency in which they are serving. In the case of Military officers in permanent Political employ the limit of time specified in Rule 5 within which an officer can earn a reward for passing the Higher Standard and High Proficience Examinations respectively may, for special reasons, be extended by Government on recommendation of the Political Agent under whom the officer is serving
- (C) Gazetted Pelice officers not being natives or Statutory natives of India, so far as the rules relate to the High Proficiency Examination in vernacular (but not classical) languages, subject to the following provisions:

(a) that Police officers shall be eligible for rewards only for passing the examination in the vernacular languages of the Bombay Presidency;

(b) that in the case of officers appointed in India the period within which the examination must be passed in order to entitle them to the grant of pecuniary reward shall be counted from the date of their first appointment.

15. The following Articles 279 to 283 of the Civil Service Regulations, Leave to appear at examfifth edition, regulate the grant of leave to

enable officers to appear at examinations;-

279. In cases not specially provided for in this section, permission to appear at an optional examination prescribed by Government in any of the Oriental languages carries with it the grant of joining time (excluding the time allowed for preparation) to and from the place of examination, besides leave for the day or days of examination.

(a) A candidate for a reward by the High Standard in Arabic, or High Proficiency in Ambic or Persian, may be allowed either (i) leave for one month before the examination, and, if he passes, for another month after it, or, (ii) if he undertakes to spend it in study under professional tuition at a Presidency town, the whole period of two months before the examination.

(b) An officer who is a candidate for the Degree of Honour in Arabic or Persian may be allowed either leave for two months under clause (a), or, if he leaves montas under clause (a), or, it is serves India for study, leave for four months to Persia for Persian, or for six montos to Arabia, Mesopotamia, Egypt, or Syria for Arabia. Officers of the Political Department of the Government of India may be granted this leave even when they are candidates only for the Higher Standard or High Proficiency test in Arabic or Persian.

Note. - Leave under clause (a) or (b) is not admissible more than once; nor can such leave be combined.

(c) Privilege leave may not be granted in continuation of the month's leave after examination admissible under clause (a) but otherwise leave under this article may be combined with privilege leave, provided that privilege leave prefixed to leave under clause (b) must be spent in, or in travelling to, one of the countries mentioned in the clause.

(d) An officer on leave under this article has a ben on his appointment, substantive or officiating, and is entitled to leave allowances, as if he were on privilege leave, for an aggre-gate maximum period of twelve months.

Motion of the results of the state of the st

281.

Act.—Leave granted under Articles 250 and 251 covers the whole period of absume from regular duty including the day or days of eminimation and the time spent in preceding to and from the place of examination. The leave caused to taken in installments

282. Exc-pt as provided in Articles 280 and 281, no kind of leave, except furlough on medical certificate, may be granted in continuation of examination leave.

283, The rules in this section apply to Military officers subject to the Military Leave Rules serving in any Civil Department other than the Public Works, Railway, the Survey of India and Forest Departments, to which departments they are not applicable.

#### CHAPTER II.

REVISED RULES FOR ADMISSION TO, AND PROMO-TION IN, THE BOMBAY PROVINCIAL CIVIL SERVICE.

(NOTE.—For these Rules are pages 498-497 of this Volume.)

#### CHAPTER III.

#### RULES BELATING TO DEPUTY COLLECTORS.

- Every person appointed to be or to act as Deputy Collector without having passed the Departmental Examinations prescribed for graduates and non-graduates is required to pass the Departmental Examination, Higher Standard, and an examination in the vernacular of the district, according to the standard prescribed for Assistant Collectors, within one your from the date of taking charge, or at the first examination held after the expiration of one year from such date. On failure so to pass, a deduction of 10 per cent. will be made from his salary until he shall have passed the examination. Until the above examination shall be passed, the person appointed will be shown in the Civil List as a probationer, and on failure so to pass within two ears from the date of nomination he will forfeit his appointment.
- A Native Deputy Collector will not be required to pass an examination in his own vernacular language, but if he be appointed to a district the vernacular of which is different from his own, he will have to undergo an examination in the language of the district.

Note — For the purpose of this rule, Eurasian candidates are Native candidates.

- 3. A Deputy Collector will not be required to answer the paper on Survey and Settlement matters and the paper on the Registration and Stamp Acts and the rules laid down thereunder, nor to produce the certificate referred to in Chapter I, Section I, Rule 44, sub-para 2 (4).
- 4. A Deputy Collector who is appointed to and joins his appointment in a district of which the vernancier is not his ora languing, must be required, irrespective of the length of his provious service, to pass in the vernacular of that district within one year from the date of his joining his appointment, and that if he fails to do so the derinction preservined in Rule 4, Suction 1, Chapter 4, should be made from his pay. [Governancest Resolution, Revenus Department, No. 1057, detect 9th Pebruary 1885].

Provise—Any Deputy Collector of more than 46 may are days should be exempted from passing an examination in the language of the district, provided it can be certified that be already provided it can be certified that be already processes as sufficiently geof passesses a sufficiently geof passional knowledge of the language of the efficient performances of his duties. [Government Resolution, Roreans Department, No. 9570, dated 28th November 1995.]

ie Depart-

#### APPENDIX VI.

# List of Proposals filed by Mr. P. J. Mead, I.C.S., Collector, Ahmednagar.

(Vide Question No. 26715.)

## I .- Payment of Actual Expenses on Transfer.

- i. Vide section 1094, Civil Service Regulations.
- ii. It is generally agreed that double First Class fare is entirely inadequate compensation.
- Gf. section 1000, Civil Service Regulations. Permanent Travelling allowance is insufficient to cover extraordinary expenditure of this kind.

#### 11. -Introduction of a Time Scale for Junior Officers.

The following rates are proposed :-

				Rs.
	Initial Pay	***	***	450
	After 1 year		•••	550   subject to passing th
,	After 2 years		***	600   mental Examination
	,, 3 ,,		•••	650
	, 4 ,	.,		725
	"5,		•••	800
	,, 6 ,,	•••	***	875
	,, 7 ,,	***	***	950
	,, 8 ,,	/	***	1,025
	,, 9 ,,	144	***	1,100
	,, 10 ,,	***	***	1,175
	, 11 ,,	***		1,250
	18			1,359

- The above figures denote minimum substantive pay. Acting allowances would be payable
  in addition.
- ii. The time-scale involves the abolition of grades among Assistant Collectors, and it is designed to assure a reasonable wages for a junior officer, up to the point at which he may hope to not fairly permanently as Collector.
- Regarding initial pay, it is observed that members of the Indian Educational Service commence on Rs, 500. A salary of Rs. 400 is hardly sufficient to avoid debt.
- iv. The latest Civil List shows that 87 per cent. of the total Bombay cadro occupy the position of Supernumerary Assistant Collectors. In Madrus, the corresponding percentage is 24.
- v. In the last 20 years, the aremge period required for attaining the rank of a Second Assistant Collector has increased from 64 to 94 years.
- vi. Apact from any question of improving our prospects, it has been often laid down that at the end of 8 yeard service, an often should be certain of an appointment currying a salary of more than Rs. 1,900 per measeu. Upon a notatarial basis, accepted as correct by the Secretary of State, the Bominy cadre should have been as under y-
  - (s) Superior appointments on over Rs. 1,000 per mensom ... 100 per cent-
  - (b) Inferior appointments on Rs. 1,000 or less ... ... 39
  - (c) Reserve for leave and training ... ... 55-5

Total strength ... 1945 per cent.

The cadre is thus intended to bear a fixed proportion to the number of superior appointments. Unfortunately, in the case of Bombay, the following posts were for this purpose treated as 'superior':...

- 5 Assistant Collectors on Rs. 900.
- 1 Colonisation Officer, Jasurao Canal.
- 1 Manager of Encumbered Estates, Sind.
- 1 Registrar of Co-operative Credit Societies,
- 2 Superintendents of Land Records.

In practice, none of the holders of the five last-mentioned posts draws as much as Rs. 1,000 per menterm. Again, the total cadra was fixed, in the year 1900, at 182, while in 1907 it was raised to 180, with no addition to the net number of substantive posts. Moreover in Bombay, as compared with other Provinces an inordinately large number of 'superior' posts are close to the Rs. 1,000 limit.

- vii. Prospects of other Indian Services have recently been much bettered. The pay of the Junior Civilian is inferior to that of his contemporaries in other Services, e.g., the Police, where men are recruited at a younger age, after a slender and inexpensive
- viii. The nature of the immediate prospects of junior officers inevitably effects the matter of recruitment for the I.Q.S. When possible, candidates realize that the average Indian Civilian makes hardly say progress in the first half of his career, the present tendency to avoid the Service will doubtless become more pronounced.
- ix. Conditions in the Home Civil Service have been growing steadily better. Not only are good posts, such as Colonial Governorships, none frequently given to the competitionwallab, but the ordinary rank and file make faster progress than formerly; so that, a clerk in a comfortable London office may be drawing as much pay as his contemporary in the f. O. S.
- z. The time-scale has been framed with an eye to the possible abolition of Exchange Componention Allowance. "Previous parallels indicate that this allowance will probably be lost. But under present conditions, officers, who are now of less than 10 years' standing have little chance of ever becoming Senior Collectors; and nobling short of a time-scale can be expected to guarantee a satisfactory flow of promoting.

## III .- Increase in the pay of Collectors.

The following grades are proposed :-

- 13 Senior Collectors on Rs. 2,500-0-0 (as in Madras).
- 13 Junior Collectors on Rs. 2,000-0-0.
- i. The work of a Collector has enormously increased.
- ii. Cost of living, both in India and England, has risen very seriously.
- The burden of public and private entertaining presses every year more heavily on the Collector; and much of his nominally private expenditure is really incurred on behalf of the State.
- iv. The pay of a Collector has remained stationary for nearly a century.

#### IV .- Revised rates of pay for members of I. C. S. serving in the Judicial Department.

## The following scale is proposed:-

						***	***	P*	
1	Judicial Commissio	ner	***		141	3,500	Ò	0	
1	Additional Judicia	l Commissi	oner	 		3,333	` 5	`4	
2	Sessions Judges	***	***			3,000	0	0	
5	Do.	***				2,500	0	0	
6	Do.		*** ,	 -		2,250	0	· O	
×	Dα .					9.000	0	δ	

4 Joint Judges on grads pay (as at present calculated) plus Rs. \$00\*

10 Assistant Judges (with appellate powers) on grade pay plus Rs. 200\*

Assistant Judges under training, on grade pay plus Rs. 100\*.

#### \* (These allowances to be treated as pay for all purposes.)

 Sessions Judges in the Bombay Presidency are distinctly worse paid than in other Provinces. The averages are these:—

			144				5		
	Eastern Bengal and	Assam	***	***	***	***	Rs.	2,324	
	Bengal			•			t	2,283	
	Madras .					***	31	2,830	
4	United Provinces	<u> </u>				·		2,155	
	Punjab						,,	2,191	
	Burma	•••			 	***	٠,	2,267	
	Bombay				 			2.092	

 The Punjab District Judges, with lower judicial powers than Bombay Assistant Judges and Additional Sessions Judges, draw Rs. 1,500 per medicin.

- iii. Save in Bomboy, the pay of a First Grade Judge secunts or exceeds the pay of the Executive Officer intendiately above the rank of a Collector; and in 4 Provinces the Second Grade Judge receives more pay than the lest paid Collector. The scale now not forward will bring the average pay of Sessions Judges in this Presidency to Ra 2,825 Cr Ra 2,290 if the Judicial Assistant, Kathiavin, be included).
- iv. H Judicial officers are to be practically deburred from Council appointments, I.C. S. Judges of the High Court should qualify for the full judicial pension (£1,200) after 64 years of service on the High Court Bench, instead of being obliged, like Barrister-Judges, to wait for 112 years.
- V.—More favourable terms in respect of Pension Contributions.

It is suggested that either pension contributions on the part of officers be entirely abolished, or that the contributions be funded, as in the case of the Rullway Provident Fund. An enquiry on estantial lines; is being completed in the Accountant General's office, on behalf of the I.O.S. Association. The attitude to be adopted concerning Pension Contributions will largely depend upon the result of that enquiry. So far as is known at present, the abolition of contributions appears the more popular and expedient reform.

## VI .- Government Bungalows for Collectors and Judges.

The proposal is that Government should provide suitable residences for the Collector and the Judge in each District at a rest not exceeding Re. 100 per messeen. Where this is impracticable, a grant of bouse-rent up to the same amount night to made.

## VIII .- Ratension of Orphans' Pensions.

It is proposed that in the case of sons, the pension should be continued to the ago of 24.

- The existing pension stops short at a most critical time in the cryhan's career, whon
  presumably, he will be either in the middle of his university course or receiving
  professional training elsewhere.
- ii. The contribution payable on account of each son would, if the suggestion be accepted, be approximately £0-14-0, instead of the existing rate of £0-11-5; and the amount would be payable, of course, for 3 years longer than at present.

# IX.--Cessation of Fund Payments ofter Retirement.

Increased cost of living in England furnishes the main argument.

## X .- Proportionate Pensions upto the £1,000 limit.

Three pensions are proposed :-

- (a) After 15 years' service
- ' (b) After 20 do. | including 84 per cent, active service.
  - (c) After 25 do.
- This scheme is devised for the few who from ill-health (short of incapacity), or for family reasons, wish to terminate their service.
- ii. It would assist promotion-
- The principle embodied is already recognised in rules relating to the P. W. D., the I. M. S., and the Forest Service.

#### II .- Increased Facilities in regard to Medical Attendance,

It is proposed that (1) European Civil Surgeons be invariably provided for all the more important stations in the Presidency; (2) free medical attendance be given to wives and families of officers.

The expense incurred in summoning European doctors from a distance is excessive, and the delay dangerous.

#### APPENDIX VII.

Officials, Non-officials and Associations in the Bombay Presidency, who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages V-XXXVII of this Volume, but who were not orally examined.

· (4) .- Officials.

(1) J. J. Hearon, Esq., I.C.S., Judge, High Court.

I. J. Herroy, Beg. LOS., Josley, High Court.
 W. D. SEIPCRED, Seq. OL E., LOS., Commissioner, Belgaum.
 M. H. W. Havrun, Ben., LOS., Additional Variation Commissioner in Sind.
 S. R. BOLMSE, Seq., LOS., Collector, West Edications.
 C. C. H. PLENGET, Edg., LOS., Discitor and Sessions Judge, Poona.
 C. C. H. PLENGET, Edg., LOS., Discitor and Sessions Judge, Poona.
 H. M. Assou Adt. Edg., LOS., Oldestor, NewHork Stah, Sind.
 R. E. A. ELGOTT, Beg., LOS., Eggister, High Court.
 M. M. S. Gumart, Edg., LOS., Collector of Sections, Bombay.
 C. C. Borr, Edg., LOS., Discitorian de Sessions Judge, Rathafget.
 A. D. Balta, Beg., LOS., Sessional Sudge, Rathafget.
 A. D. Ratha, Beg., LOS., Sessional Sudge, Rathafget.
 A. D. Ratha, Beg., LOS., Sessional Sudge.

(11) A. R. Dalal, Esq., I.C.S., Assistant Commissioner, Bijapur. (12) W. P. Husson, Baq, Acting Collector of Thez and Farkar, Sind (13) S. M. Edwaness, Beq, I.C.S., Commissioner of Police, Bombay. (14) E. J. Bouns, Esq., Assistant Collector, Poors.

(15) N. D. Marta, Esq., Deputy Collector, Chief Officer, Municipality, Abmedabad,

N. D. Matra, Esq., Deputy Collecter, Ghief Oliver, Municipality,
 Striken Humanda Kunn, Deputy Collector, Karáchi.
 C. N. Matra, Jieu, Additional Susions Judge, Ahmedehad.
 G. A. Humann, Esq., Deputy Collector, Seidan.
 R. Gonoma, Esq., Deputy Collector, Seidan.
 R. G. Brandman, Seq., Judge, Small Cause Court, Poon.
 J. D. Dussay, Esq., Deputy Collector, Pointerfor.
 G. R. Barkusver, Esq., Deputy Collector, District.
 J. S. D. Marin, Esq., Deputy Collector, District.
 J. W. K. Romkan, Esq., Deputy Collector, District.
 J. W. K. Romkan, Esq., Deputy Collector, Mail.
 J. S. Vargar R. C. Araxi. Benuty Collector. Melin.

(25) Ráo Babádur R. C. Artal, Deputy Collector, Belgaum. (26) W. N. RICHARDSON, Esq., Deputy Collector, on Special duty.

(27) V. B. Mandeberg, Eq., Deputy Collector, Kastra. (28) H. N. Crouch, Esq., Bar. et-Law, Additional Judicial Commissioner, Sind. (29) J. K. N. Kabran, Beg., Statutory Cyvilian, Collector, Hijápur.

(30) F. L. Sprott, Erq., Civil Engineer, Chairman, Bombay Trust. (31) Surgeon-General H. W. Sprymnson, C.S.L., L.M.S.

(32) M. Kennedy, Esq., C.S.I., Inspector-General of Police.
(33) Lieut.-Colonel J. Jackson, I.M.S., Inspector-General of Prisons. (34) G. P. MILLETT, Esq., Conservator of Forests.

(B).-Non-officials.

(35) FAZULDBOY CURRIMBHOY EBRANIN, Esq., Merchant,

(36) F. M. CHINOY, Esq., Merchant. (37) Ráo Bahédar P. B. Joshi, F.R.G.S.

(38) Sir V. D. THACKERSEY, Kt., President, Municipal Corporation, Bombay.

(89) H. N APTE, Feq. (40) Ráo Babádur NABAYAN TRIMBAR VAIDEA.

(41) M. L. RAMTI, Fsq., Merchant

(42) Revd. R. A. Hume, D. D., Missionary (43) A. G. Virgeas, Esq. J. P., Medical Practitioner. (44) S. B. Upasani, Esq. (45) Hou'ble Mr. N. D. Khandalawala.

(46) G. K. DEVADHAR, Esq., Editor, Dyan prakash, Poons.

(47) J. B. Pettr, Esq., Merchant. (48) C. H. Seyatuan, Esq. Advocate. (49) R. M. Bahádur R. M. Nilkan'sh, Ahmadabad. (50) H. A. Wadia, Esq., Bur-at-Law.

[60] П. Н. Мала, два, уме частво. (61) D. G. Радите, Esq., Principal, Gokuldas Tejral High School. (52) К. Кооувент, Esq., Merchant. (93) Sheikh Guban Hussain, Pleader.

(54) H. G. Limaye, Esq., Profusor, Fergusson College. (55) Ráo Bahádur D. B. Parisnis, Sátárá

(56) V. Shuthwasnak. Eq., 'Rarebenur.'
 (57) T. B. Naelman, Eq., K. I. H., Medical Practitioner.
 (58) H. Visherdas, Eq., Yresident, Karáchi Municipality.
 (59) L. Naeyani, Eq., Merchant.

(O) - Associations

(60) Bombay Chamber of Commerce (R. E. G. Pearse, Esq.).
(61) Bombay East India Association (J. L. Barrro, Esq.).

(62) B mbay Presidency Moslem L. agus (Moulvi Raff-ub-din Abmed).
(64) Decean Sabha, Posna (V. R. Guptz, Esq.).

(64) Poona Sarvajanik Sabba, 1 00na.

## APPENDIX VIII.

Officials, Non-officials and Associations in the Bombay Presidency, who furnished written answers to the interrogatories printed on pages V-XXXVII of this Volume, in response to a notification published in the Gazette, but who were not orally examined.

## (A) .- Officials.

- F. C. O. Berman, Esq., I.C.S., Judge, High Court.
   P. E. Perdylai, Esq., I.C.S., Secretary to Government, Legal Department.
   J. Nissum, Esq., I.O.S., Assistant Collector.
- (4) K. K. Syravala, Esq., Subordinate Judge, Surat. (5) F. J. Varley, Esq., Subordinate Judge, (6) K. K. Thakor, Esq., Subordinate Judge, Urramgám. (7) M. J. Kadel, Esq., Subordinate Judge, Umreth.

- M. J. AADH, Edg., Subscience, Gunge, Current.
   G. L. Dirass, Edg., Sab-Joge, Soblipar.
   S. A. HATTAROAN, Beq., Joint Subordinate Judge, Dhárwár.
   V. W. Mac, Edg., Saberdinate Judge, Dhárwár.
   Y. W. Horn, Edg., Saberdinate Judge, Dhárwár.
   Y. W. Fay, Edg., Saberdinate Judge, Dhárwár.
   Y. W. K. Naxusan, Esg., District Departy Collector, Broach.
   Y. Stran Fazure-Do-BA MOOGRAE IE: Edg. Docky Collector, Násik. (13) Memorial by Subordinate Judges submitted to the Bombay Government in 1910.

#### (B) .- Non-officials.

- (14) M. G. Addfankar, Esq., Landlord and Banker, Poena.
  (15) R. B. Praddan, Esq., Pleadler, Nésik.
  (16) H. N. Rad, Seq., Solitor, Indiana Speciator.
  (17) K. Nayaranian, Seq., Bolitor, Indian Secial Referen.
  (18) L. M. Wadar, Seq., Barts-Law.
  (19) S. M. Pates, Req., Vakil, High Court.
  (20) G. K. Curray, Reg., Pleader, Mondragan.

- (20) G. K. Chitale, Esq., Pleader, Abmednagar.
   (21) J. M. Curskul, Esq., Reired Deputy Collector.
   (22) M. D. PREKCHAND, Esq., Abmedabad.
- (23) S. G. Lelb, Esq., Pleader, Abundangar.
- (25) S. G. IGER, ISS, Presser, Aumenmagn.
  (24) G. A. Patze, Hsq., Pleader, Abmedabad.
  (25) Dr. S. B. Gode, Medical Practitioner, Hubli.
  (26) B. N. Bhajerar, Esq., Pleader, Girgaum.
  (27) B. S. Katrak, Esq., Pleader, Suraf.

- [27] D. S. KAYMA, Berl, A Issuer, Sutton.
  [28] S. R. KOTWAI, Berl, Patient Midmistriar.
  [29] A. N. Kantaerkan, Sen, Pleuler, Sholapur.
  [30] Mussuit Morzuddin, Zamindar, Munchipara, Ahmedabad,
  [31] G. V. Garatono, Esq. Refired Executive Engineer, Dharwar.

#### (C) -Associations.

- (3?) Pleaders' Association of Western India (D. A. KHARE, Esq.).
- (33) Bar Association, Dhárwar (V. M. HOLBEAR, Esq.).
- (34) Anjuman-I-Islam, Bombay.
- (35) Bar Association, Abmednagar (B. B. Desurande, Esq.),

## INDEX.

## ROMBAY.

#### The Numbers refer to Ouestions.

_	
Α.	Bhurgri, Ghulam Mahomed, evidence of - 32,073-325
Administration: Chims of masses and of educated classes, question	Bombay Government, memorands on L.C.S. and P.C.S. p. 429-522
of, Paranjpye. 26,222-6; Aya Khan, 27,331-2; Batchelor, 28,849; Sabnis, 30,339; Kothari. 32,861-2.	Bombay Presidency Association: Memorandum, P. M. Mehla
Greation of more posts desirable. Enteral: 28.561.	Objects of, membership, &c., P. M. Mehta 31.375

M. Mehta 31,375 28,666-74 Creation of more posts, even to admit Indians, Hombay University: should be avoided in interests of people, Madgarkar COURSES ABOVE M.A.: 30 784 (xvi) Less control than formerly over assistant and district judges, and consequent disadvantages.

\*\*Maradikar\*\*

30,784 (xvi)

assistant and disadvantages.

\*\*Maradikar\*\*

30,784 (xvi) no Increase in number of students, Sharp - 32,631

Open to residents, Kelkar 33,196-7

Examination papers, no leakage re, since 1885, but case of personation in 1904, Shurp 32,563 Aga Khan, Aga Sultan Muhammad Shah, His High-ness, The, G.C.S.I., G.C.I.E., evidence of 27,034-335 M.A. Examination:

A. BEAMMAZION:
Affiliated Colleges for, Shorp 32,562, 32,624-8
Facilities for teaching for, inadequate, Sharp
32,578-9 Age limits (see weder Indian Civil Service Examination). Increase in number of students and in attainments. Age of arrival in India (see under Regruitment).

Onarp
Particulars re, Sharp 32.635-6 Agricultural Associations, formation of advisable, - 32,562, 32,621-8 Karandikar -- 28,362 (vi) Professors, some mix freely with students and could give certificates of character, Sharp 32,645-8 Agricultural castes, representation in P.C.S. advisable. Selection of students obtaining Government scholar-- 30,794, 30,889, 30,991-3 Madgavkar shins, Chandavarker -

31,180-6 Standard of languages, Sharp 32,589 Agriculture:
Director of Land Records and, post held by junior
29,097 Standard of languages, Starp
Stadents, work had at certain periods, Sharp 32,641
not same close Supervision as in English public school, Sharp
32,649-50 Director to John Collector, Curtis 29,09; Indian Oralians deficient in knowledge of, and 28,362 (vi).

28,397-400, 28,547-9 (see also Land Records, Director of.) Angle-Indians (see under Domiciled Community).

Annuities (see Pensions).

Appeals in Forest and Abkari cases, rare, and details re. Cartis 29,367, 29,454-6 Appointment (see Recruitment). Arabic in syllabus of Indian Civil Service Examina-

tion (see under Syllabus under Indian Civil Service Examination), Arms Act, cases under, complaints as to administration of. P. M. Mohta -\$1,629-34

Backward communities: Method of recruitment proposed, and encouragement advised. Sabais 30,248, 30,305-11, 30,393-8, 30,465.

30,469 no Objections to reservation of certain number of posts for, Kelker - 32,883, 32,956-8 Bar:

Incomes made at, Sofke 33,464-6, 33,195-6 Recruitment from (see nuder Judicial Branch).

Barristers, English at ladian Bar or High Court, number, Scott - 25,962 Barrow, Reginald Posock, I.C.S., evidence of,

28.065-360 Batchelor, Stanley Lockhart, I.C.S., evidence of 28,759-959

Bharucha, Sorab Manekshah, evidence of 32,326-556 Bhavnagar: Separation of ungisterial and executive duties,

L S Mehlo L. S. Mehia 27,462-4 Subordinate judges do magisterial work. L. S. Mehia 27,573-80 Brahmans: Chitparan caste ontirely distinct, Modgacker 30,880 Chitparan caste ontirely distinct, Modgacker 30,880 Education, &c., Sabnis 30,366 9, 32,683 5 Feeling against, Sabnis 30,321 t Fund to aid education of Indians in England raised by, Rivington

26,943-4 Loose use of word, and difference of easie between referred to, Madgarkar -- 30,794 PREPONDERANCE IN SERVICE:

hepponentanen in servicus.
Anticipated. Karandikar, 28,302 (iii), 28,306;
Sharp, 32,653-5.
Indiscriminate opposition to dangers of, and errors. re. Madeavker · 30.889, 31.065-6 Probability decreasing, Chandararkar in P.C.S., Cartis 29,017 not a Real danger, Madgarkas 30,794, 30,981-5 no Prepandenance in first class, in Bombay University. in P.C.S., Cartis Madgarkar - 30,791

(32.927), 33.192-5

British Characteristics and Tone: Alteration would affect commercial confidence in Depends on personality, but will become less dependent, Paranjpyr, 26,251-7; Aya Khan, 27,169-71.

in P.C.S. Kelkar .

More common among Indians educated in England, Detection among phonons current in Longano, Paracippe, 20,470-81. Retention necessary had many Indians induced with Paracippe, 20,049, 26,147-59; Crump, 27,817-22; Karmadikar, 28,445-81; P. M. Mehta, 31,370, 31,439-43; Jimah, 31,338-72.

British rule, stability and permanence essential, Subnis 30,223, 30,315-6 Bungalows, Government (see moder Residence-).

Calcutta University, M.A. degree; Compared with degree of other Indian and English A

E (5)22230 2730 694 E & S

Caste and Racial Feeling: Consideration of, by Government, necessary, but gradually heaving down, Glandarsher 31.927.9 no approximate Class than thest character and super- position of the Constant of the Constant Indian no Difficult to go over, Medgaular 39.324 a Difficulty but decreasing on contant with Western ideas, Medgaular 39.784 (in). Réduction in England does not get rif of Chende- varbor 39.3110	Appointment of personal assistants to Collector Appointment of personal assistants to Collector from advised, Leurence 30,542 should be Asked to look into agricultural and industrial development of talula, Karandikar
Effect on administration, Karandikar 28,362 (h), in) Entrance to LOS. by one door only, advised as remedy, Jinnah 31,995-2,001 Exaggerated, Karandikar 28,361 (v)	28.362 (vii) Attached, abolition of system advised, Bhargri 32,128 as Basis of executive P.C.S. not approved, Madgaskar
Exaggerated, Karandikar 28,361 (v) Ignored in case of Europeans, Karandikar 28,361 (ii) Loose use of word and explanation, Madgarkar	Cadre, table - 0.03. not approved, management 30,910, 30,989 Cadre, table - p. 472 Comparison with Assistant Collector, Mead, 26,874-5;
Movement against, Madgaskar - 30,784 (vi) Question of, Aga Khan - 27,322-3	Details re posts held by different communities,  Kelkar
Casualty rate, assumed rate too high, Graham - 29,768	Full day and little social intercourse, Bharncha
Chandavarkar, Sir Narayan Ganesh, evidence of, 31,891-369	Grades, 1887 and 1912, comparative statement p. 481 Grading:
Class Representation:  Distinction in requirements between I.C.S. and P.C.S.,  Aga Khan 27,988 (see also under Recruitment, I.C.S., and under	Alterations advised and details, Curtis, 29,626, 29,487–9; Kadri, 29,976; Bharucha, 32,338, p. 473; Kelbar, 33,157–65. Removal of sub-divisional officers from cadre
Recruitment, P.G.S.)	advised, and regrading, Bharacha 32,338, 32,340, 32,377-80, 32,392, 32,528-30, 32,597-40  Evene:
Clerk of the Court, only post in list in Rules for Admission to P.C.S. affording training for sub-judge, Mehandale 20,714-5	Conversion into judicial officer, suggested,
Collectors, Assistant:	Stays as magistrate in headquarters and does not go into camp, Curtis 22,147 no Large increase of work, Gurtis 28,167
no Acting allowance for officiating as, advised, Mond 26,678 should be Asked to look into agricultural and	Pay, revision advised to give some the same as Assistant Collectors, and promotion to new grade by seniority, Kelker 33,157-65
industrial development of taluka, Karandikar 28,362 (vii)	PROBATIONARY:
in Charge of sub-division after one year's service and magisterial powers in 2 years and appellate powers in 3 or 4 years, Curtis 29,661-2 European, more would be useful, but expense a drawback, Curtis 29,002-3	Appointment rules and initial pay, &c. p. 472-3 Proposal for separate class outside cadre and pay, &c., correspondence re p. 472, p. 490-3
European, more would be useful, but expense a drawback, Curis 29,082-3	Promotion: Question of means to ensure rapid flow, Mead
Free choice of judicial service, after 3 or 4 years, with possibly additional inducement advised, Madgawhar 30,797, 30,938-7 no Large increase of work, Cautis 29,167	Selection to appointments of Rs. 500 and over, Berrow, 28,129, 28,163, 28,251-3; Ourtis, 29,021. of Well educated men preferred, and details, Burrows.
LISTED POSTS: Error in Appendix VIII. re p. 457	RECEUTERT:
Merged in cadre of Deputy Collectors, Barrow 28,232-7, p. 437, p. 484 Object of, Curtis - 29,598-406	Alternately by direct nomination and promotion from rank of Mambatdar or Mukhtyarkar advised, Letternace
Marriage at least before 4 or 5 years, not advisable, Madgankar 33,835	Laurence 30,544 Different methods, and question of promotion, Barrow 28,238-41
PAT	tions. Curtis
cost Excessive - p. 444 Grade of Rs. 1,200 to be provided and desirable, Tulcyarkhan, 27,346; Barrow, 28,105; Gurtis,	More direct appointments preferred, Laurence 30,695-6
28,959. Initial. increase advisable, Cramp, 27,736-7; Curtis, 29,981, 29,988.	Resident Magistrate difficulty of continue 33,206
Posts vacant smee 1910, Eutosph 28.569	sionally, Cartis - 20 404 C
no Powers under Mamlatdars Courts Act p. 443 Rules relating to p. 512-17 Rules for training satisfactory p. 441	of Criminal Procedure advised it in the
should not be Superior post, Graham 29 Stn. 13	
Supernumerary, in excess of proper number, and increase of number of 1st and 2nd assistants	on Tour, intercourse with people, details, Bharacha 32,471-93
	suggested, L. S. Mahta
Time scale proposed for, Mand, 26,715. p. 523; Graham, 29,770-2, 29,810-3.	Cardia 29,099-101
ox Tour: Intercourse with people, details, Bharacha 32,471-93	Collectors and District Magistrates:
Work, and operation of accessibility Physics	Alteration of name to Commissioner advocated,  Laurence 30,542
Wishing to enter indicial line should six on heart	Court on increasion of High
with sub-judge when at headquarters, Kanaddhar 28,362 (vii) Work, Madgarkar 30,968-80	Kelbar advised.  Kelbar 32,913  Guil pomers 32,913  Comfact with people. Caria, 20,167-9; Bharacla, 32,437-9; Kelhari, 32,882.

INDEX. 581

Collectors and District Magistrates—continued.  Control over police and subordinate magistracy, retention advised, Leurence. 39.556  Europeaus preferred, and astisfactory, Rivington 25,924, 25,933, 26,963, 26,961, 27,008–17	Commerce—continued. EUROPEAN EMPLOYÉS—continued. Recruitment, method, age, &c., Proeter, 30,093-6, 30,114-22, 30,148: Modharlat, 33,360-1, as Supervisors usually, but not invariably, Proeter
Increase of work, and consequently less contact with people, Gurtis 29,167-9 Indian, preferred in Sind, Blarger 32,194 Judicial and magisterial powers p. 443	Work on arrival, Procter 30,081-2 Graduates of science, employed in mills, pay of. Medhaulal 33,316-9, 33,347-8
Lourne Powes. Advised, L. S. Mahn. 27,343, 27,388-85, 27,489, 27,583; Knoir, 29,946, 29,994. Held by statatory civilians, but to be thrown open to P.C.S. on retirement - p. 537. Two appointments inited - p. 437. Par: Increase advised, Aga Khon, 27,104; Mend., p. 534.	Intona Educator's:  Employed on same terms of leave and pay as  Emglish, Madheridt 33,30%-11  Leave, Madheridt 33,30%-10  Sone able to supervise men satisfactority, Madharidt  Madharidt  Indian firms, prosperous, Proeter  Increase of trade, Moropour, share, spection of Increases, Proeter  DEVERTIENTS OF CAUPTAL.
Sumptuary allowance in certain places advised, Curtis 29,429 Third grade of Rs. 2,500 advised, Barrow, 28,105, 28,150; Cartis, 28,939, 29,078-9, 29,257-70.	INVESTMENT OF CAPITAL: Change of policy of Government would affect. Procter 30,307-10 Increased prosperity through. Kothari 32,870-2
Personal assistant proposed, scheme for devolution of work to, and experience of system, Louseaux 30,542, 30,388-612, 30,522-39, 30,888-92, 30,740-2, 30,748-36, 30,782-3 at Poona, has personal assistant, Certis 92,440 Promotion to, system p. 443	Lanus holiday preferred, Procter . 20,130 Arrangements, Procter . 20,133 99, 20,137 Need for greater scientific knowledge, and useful if more Indians equipped with, Medhariel . 33,313 4 Openings for Indians, Medhariel
Relations with district judge might be less friendly it in different service, Berross - 28,344-6, 29,302 no Sigu of being deprived of initiative and sense of responsibility by growing influence of secretarist, Curtis - 29,170-1 Sind, no original magisterial work done, Lencrance	PAT: to Graduates of science. Madharlal 33,318 Rise of wages with rise of cost of living, Madharlal Pensious, no scheme for superior staff. Produc 30,100
30,635 Supervision and control by distinction, Laurence	Commissioners: Alteration of name to High Commissioner advised.
on Tour:	Laurence
Arrangements re work, Curtis - 29,153-5 no Contact with people, and remarks re, Sind, Bhurgri - 32,198-9, 32,233-4, 32,242-50.	has Personal assistant and delaits re. Laurence 30,746 S
32,299-311  Five months or four, Cartis 32,299-317  Transference of judicial functions and not power over police advised, Madganhar 30,849  Work in Sind, Bharagri 32,203-7, 32,237-54, 32,287	Pension, increase advocated, Cartis 29,008 Promotion of Indians to post of advised, if suitable, Aga Khun 27,018, 27,219–23 Sumpfuary allowance suggested, Cartis 20,429 all benulty well acquainted with conditions of division. Rivingion 25,522
Usually well acquainted with conditions of district, Rivington - 26,924  Vernacular, knowledge of, Bharucha - 32,435	Commissioners, Deputy: Error in statement in Appendix VIII p. 457
Vernacular, knowledge of, Blarretha - 52,435 Work, increase of effice and decrease of outdoor, disadvantages of, Barreto - 28,305-14 Work too heavy, and recommendations refunctions, Lauvenco - 30,542, 30,595 (see also Commissioners, Deputy.)	no Office below, should have powers of 1st class magistrate. Talegarkhan 27,931 Two appointments listed p. 437 (see also Collector.)
Colonial Civil Service:	Conditions of Service, LCS.: Decrements, list, and average rate for last 20 years.
Combination of examination for, with that for Indian Civil Service (see under Indian Civil Service	statements p. 456
Examination).  Prospects of pay worse than I.C.S., and examples.  Paranjpys 26,037, 26,438-42	Increase advised, Graham 29,812-29 Eight years' system accepted, Mind, 26,674; Madgarker, 30,847, p. 442.
Commerce: Domiciled Europeans or Anglo-Indians employed	Limit of Rs. 1,000 too low, Laureure 30,523 Statement and information re p. 455 Officers of more than 2 and loss than 8 years
and found efficient, Procter 30.211-2 EUROPEAN EMPLOYES:	service drivene more than Rs. Land, statements
Association with Indians, no difficulty, Procter 30,009 Class of work done, Madharial - 33,331-3 more Contact with people than officials, Madharial	1908-12 p. 419-59 Officers of more than 2 and under 8 years service; not many obtained officiating charge of inferior posts, statements 1908-12 p. 151-3 Officers of more than 8 years service not drawing more than 18, 1,500, 1908-12 p. 116-8
no Difficulty in working in superintendence of. L. S. Mehte 27,444-6 First-class passage paid, Proctor 30,124 Learn sufficient of language for lusiness purposes in about six mouths, Maddarder 35,302-4.	more than Rs. 1,000, 1908-12 p. 116-8  Supernor Posts: Additional for Indians, advocated, Bluracha 32,349 Allowance on number, give-wees of junior officers, Leband: 25,509
32,223-3 Leave,arrangements, Proctor, 30,107-8; Madhenial.	Allowed for temporary appointments and depar- tations, statement — p. 155 After 8 years:
30,00-7, Pay and promotion. Procter 30,100-6, 30,110, 30,125-8, 30,132-6, 30,140-5, 30,147-8, 30,174-80; Madharlal, 33,296-9.	Admirable on paper, but not fulfilled, Estenh, 28,568; Learnese, 20,522, 20,527.
30,174-80; Madharlal, 33,296-9. Prefer English firm, Procter 30,141	no Alteration necessary if age of re-referent not altered more than 2 years, Ectlock 25,568

Conditions of Service, I.C.S continued.
Superior Posts-continued.
After 8 years—continued.
on Collector or indee advised, Laurence 30.527
not Entirely satisfactory, and reasons p. 442-5
some Failures to obtain p. 442
Pay of Rs. 1,200 after 8 years, advised, Laurence 30,522-3, 30,527
Reduction to 6 years suggested, unless age limit
reduced, Burrow 28,103, 28,148-9
not Satisfactorily applied and posts wrongly
treated as superior without proper pay,
Grakam 29,768
System accepted, Mend, 26,673; Cartin, 28,996;
Graham, 29,768; Madgavkar, 30,846.
Block due to insufficiency of, Louvenee - \$0.524
Creation of additional, advised p. 455
l for Indians, advocated. Bharacka 32,340
Posts included among, but not as regards pay.
Erebank, 28,622-8; Grahaw, 29,768, 29,806-8.
Proper allocation suggested, Cartis - 29,476
Reduced to lowest minimum and difficulties
involved p. 443
Strongth required to supply eight p. 455
only Three listed, Kadri - 29,946, 30,067-9
Temporary, arrangements for filling n. 455
10 per cent. might he thrown open to P.C.S.
Executive Branch, Kadri - 29,946, 29,993-7

Conditions of Service, P.C.S.;

Class of appointments, no change necessary - p. 466 Dismissal, letter re - n. 489 - p. 489 Temporary and exceptional appointments, letter re

p. 489 - p. 496 Temporary posts, revised rules -

Withdrawal of posts from list, Graham

Co-operative Credit Societies: REGISTRAR:

no Objection to Indian, L. S. Mehta - 27,440-1 Pav. suggestions, Curtis - - 29,089-91 Pay, suggestions, Curtis - 29,089-91 Post held at present by Junior Assistant Collector Certis -. 29 094 Regarded as superior posts, but not as regards pay, Embank - 28,622-3

Embunk 28,622-6 Supervision by European officers advisable, Recington 26,924, 26,976-50, 27,918-26

Councils, Executive:

Members' pensions, after 5 years' service 1,200t. advised, Barrow, 28,114; Cartis, 29,008; Graham. 29,777. Membership, should be open to members of Judicial

Branch, especially judges of High Court, Karandi-har, 28,361, 28,389-93; Madgentar, 30,838, 30,848, 30,852, 31,007-14, 31,069-72

Courts, District and Sessions: Head clerkship, recruitment

clerkship, recruitment to Judicial Branch P.O.S., from, not approved, Crump 27,642, 27,810
Problem as to truthfulness of witness usual difficulty,
and question of fact, Crump 27,617, 27,839-801 Court, High:

(Judges, see that title.)

Less control than formerly over assistant and district judges, and disadvantages consequent, Karaudikar 28.361 (vii) More questions of law decided than in District Court Batchelor - - - -REGISTRAR:

Post no longer held by Indian, Kelker 39 984 33,065-71 Post held by member of LC.S. since 1907, and

removed from listed posts and judgeship substituted - . . . p. 437, 500
Rulings set aside in revenue cases and no remedy. Karandikar - 28,861 (vii), 28,414-28, 28,471-28,536-8

Courts, Subordinate, clerks, 3rd class magisterial powers advised, Karandillar - - 28,362 (vii) Crammer's Institutions, question of starting, in India, Aga Khan, 27,267-8; Sharp, 32,584-94.

Cramming, evil exaggerated, and Fraser's Magazine quoted re, P. M. Mehto 31,519-20

Crump. Louis Charles, L.C.S., evidence of 27,609-943 Curtis, George Seymour, C.S.I., I.C.S., evidence of 28,960-9,489

Daftadars: in Certain districts, Laurence 20 772-9 (see also Personal Assistants under Collectors.)

Director of Land Records and Agriculture (see under Agriculture). Districts:

Heaviest split up, Mead - 26.859 Re-arrangement suggested, Embank 28,670-72

Bivisians, number and none too large. Curtis 29,437-9

Domiciled Community: Anglo-Indians, number in service and work, Cartis 29.196-7

Attitude criticised and change hoped for, Madgarkar 30,798 as Efficient as other members of service, Lewrence 30,725-6

Education, general, to late age preferred, Laurence, 30,731; P. M. Mehta, 31,530.

Education in India:

29,769.

29,771, 29,808-13

lucation in linua:

Bombay schools and colleges, manned by Indians

32,570-2 largely, Sharp -Difference between communities and classes, Chando

urrhar, 31,259-2; Sharp, 32,651-4.
Differences between English education and, Paranj Effect on, of assumption of necessity of education in 31.206-74 - 31,266-74

Bifect of simultaneous examinations on (see under Simultaneous Examination).

English system in operation, Mead rengues system in operation, actar 26,842-5; Fund, to help Indians to go to England, suggested, Histories 28,925, 26,942-5 Indian culture hest developed through English education, and question of European or Indian threshas, P. M. Mehta - 31.650.48

Progress, Bharneha, 32,328; Sharp, 32,632-3. Standard compared with England, Aga Khan

27.070.3 33.131-5 Variations in provinces, Kelkar .

Employment in India, careers other than administra-tive often preferred, Paranjpye, 26,040; P. M. Mehta, 31,581.

Europeans:

Detachment from local influences possible, Karan - 28,488-90 Efficient service required whether Indian or European Jinnah - 31.806-9, 31.816, 32.016 Buployment of minimum Proportion in higher

POSTS: Advocated, Scott, 25,966; Mead, 26,649; Crump, 27,623, 27,650-2; Ewbank, 28,561; Batchelor, 28,768; Sabnis, 30,229; Kothari, 32,665; p. 435. if Advocated, considerable increase in successful

Indian candidates at home and question of statute, Crump 27,763-7 not Approved on principle, but 50 per suggested for the present, Kelkar . 3

32,895, 38.175-7

Half suggested, Chandworker . - 31,113 Indians members of LCS, counted among, in c

idening proportion p. 429, 435
Irreducible minimum, illegal and not advocated,
Karsudiber, 28,377; Chenducarbur, 31,237-8.
Recessory, Parmitipe, 20,049, 25,074, 26,482-7;
Barron, 23,084.

Destrow, 20,004.
not Necessary at present, Aga Khan, 27,127-34, 27,244-50; L. S. Mehta, 27,352, 27,378-9, 27,581, 27,384, 27,496-72; Bhurgri, 32,089, 32,131-4.

Prenonderance:

Approved, L. S. Mehta, 27,382-3; Chandawarkar, S1,996, 31,150, 31,212; Bhurgri, 32,132-3.

INDEX. 533

<del></del>	
Europeans-continued.	Executive Branch, I.C.S.—continued.
Employment of minimum Proportion in higher	RECRUITMENT:
POSTS-continued.	Limit suggested as between members of P.C.S.
Preponderance—continued.	and I.C.S. Mudgackur 30,808
Necessary in order to safeguard interests of	Rate and system p. 477
masses, Sabnis 30,337-46 not Necessary if examination held alternately in	Training:
England and India. Karandikar 28.361(v).	Legal:
England and India, Karandikar · 28,361(v), 28,482-5, 28,514-24	in India, possible, Lawrence 30,715-6 Sufficient, Graham 29,767
Proportion:	Useful, but want of no serious drawknek, Mend
Fixing of not advised, Aga Khou. 27,048; Curtis,	26,868
29,044; Kadri, 29,922; Kelkar, 32,895; Mad- havlai, 33,234, 33,267.	in Office of Mukhtyarkar, advised. Bhurgri 32,103
havial, 53,234, 38.257.	Executive Branch, P.C.S.:
excessively High, but possible error in figures, Kellar - 32,004, 32,996-9, 33,087-102	Cadre, principle followed in fixing strength + p. 474
Suggestions ve. Karandikar, 28,361 (xiv), 28,376;	Comparative statement of composition of, for
Suggestions ve, Karandikar, 28,361 (xiv), 28,376; Mchendale, 29,490, 29,687; Sabnis, 30,240; Laurence, 30,495, 30,578, 30,770; Kelkar,	1912-13, Bharacha 32,340
Laurence, 30.495, 30.578, 30.770; Kelkar,	Inferior class, and depriving of listed posts no draw-
32,895, 33,179.	back, P. M. Mehta 31,478-81, 31,747-55 Less attractive than Judicial Branch, and masons.
Question premature, as no probability at present of Indians swamping Europeans, Jinnah 31,775.	and not sufficient independence of judgment.
31,809-11	Madanykar 30.910
Reduction to any extent not advisable, but no	Madgoukar
guarantee required, Age Khan - 27,038, 27,064,	Old service consisted entirely of deputy collectors,
Reduction to any extent not advisable, but no guarantee required, Aga Khan - 27,038, 27,064, 27,066, 27,126, 27,141, 27,236, 27,308-11	Curtis
Reduction of European element not anticipated	Par:
from simultaneous examinations, but no objec- tion if gradual, Paranipye - 26,075-8	of Higher and lower branches, Mudgarlar 30,890,
	30,911 Initial, Certis - 29,413
Indian official, Sabuis - 30.342-3 Ignorance of Indian ways, P. M. Mehta 31.599 Less contact, with people than commercial tree	Initial Certis 99,413 Power of Government to appoint outsiders in exceptional cases p. 176 Probation 9175
Ignorance of Indian ways, P. M. Mehta - 31,599	executional cases 1, 176
	Probation
Madhawlai 33,336-1	Promotion by selection to Rs. and above,
Need for being taught social etiquette and social intercourse with educated Indians, Paranjpye,	complaints quoted, Madgarkar 30 896, 31,082-7
26,412; Butchelar, 28,760.	RUCRUITMENT:
Posts held by decrease in number deprecated.	Combined competition and nomination suggested, and scheme. Paranjpyr 26,065, 26,121–9, 26,415
Rinimaton 26.924	20, 26,512, 5
Question of importiality, Mond - 26,913 7	Competitive examination for direct recruitment
no Resson for objecting to serve under Indian officers, Mead 26,921	advised Kellow
Retention of European element and tone advised.	from Graduates of Bombay University advised
Cramp. 27,609 : Barrow, 28,070 : Madaurkar,	partly, Kelline 32 911, 33,212 Higher branch :
Cramp, 27,609; Barran, 28,070; Madgavkar, 30,784 (v) (viii); Kelkar, 32,342-6; Madhavlal,	by Competitive examination, tried but not
33.268 : Nathe, 33.371.	successful, Curtis 29:208-11
not Sufficient contact with people, and handicapped	by Open competition, and lower by nomination,
by insufficient knowledge of vermicular, P. M. Mehta 31,684-99, 31,699-709	and scheme, Madgarkar 30,890, 30,911
Want of sympathy and causes, Paranjpyc 26,485-7	from Mambatdars, and remarks iv. Laurence 30031-5
	Mambatdars not recruited by competitive examina-
Ewhank, Robert Benson, LC.S., evidence of	tion, Sathe 33,130
28.557-758	Restriction to residents.
Examination Papers, Secrecy:	Advised as a rule, and usual, but are exceptions.
Methods of securing, and no leakage at Bombay University since 1885, Sharp 32,563	Laurence 20,545 not Advised, Kothare 32,680
University since 1885, Sharp	Rules p. 470, p. 475 ti, p. 187 8, p. 183 1
Possible difficulties and examples of leakage, Barrow 28,262-5, 28,299-300	Two-thirds by open competition, and one-third by
Examinations:	nomination suggested, and details. Telegrakhon
Many Indians only care about appearing, but less so	27,919, 25,017, 52
in higher examination. Sharp 32,564, 32,615-23	Sind, list of appointments p. 420 Temporary appointments p. 476
not Satisfactory test of administrative ability, Kothari 32,729	Temporary appointments p 176 Tests p 161
Admiri	Training:
Exchange Compensation Allowance (see under Pay,	Five years in charge of a taluka advised, Madgarkar
I.O.S.j.	30,592
	(see also Training, P.C.S.)
Executive Branch, I.C.S.: Additional superior posts for Indian service advised,	Executive Councils (see Councils).
Bharacha - 32,340, 32,380	Executive Officers, under control of High Com:
Class representation, tables showing distribution of	P. M. Mehla 31 420 4
nests among communities, in Presidency and Sind	г.
in 1887 and 1912 p. 181	
Lasted Posts:	Family Pension Fund: for P.C.S. advised, but perhaps difficulties too- great, Hothard - 32,684, 32,722, 5, 32,738, 43
no Appointments from P.C.S., Mrad - 26,878,	great, Kothori - 32,681, 32,722, 5, 32,738, 13
26.887 Increase advised, Madgarbar - 30.911	(so also Indian Services Family Pension Fund.)
Superior, filled by two statutory conflemen	Porest offences, diminution. Chowlararkar 31.264-1
Superior, filled by two statutory gentlemen.  Bharneha 32,455	Forest Service, simultaneous examinations advocated,
Members not specialists, and considered experts in	Aga Khan - 27,028
all branches Madasahar	Furlough (see under Leave).
Minimum proportion of Europeans more necessary than in Judicial Branch, Barrow 28 084, 28,347-9 Reasons for preference of, to Judicial Branch, Madgarkur 30,838, 30,848, 30,852, 30,959-80	
Reasons for preference of, to Judicial Remak	G.
Madgarkar - 30,838, 30,848, 30,852, 30,959-80	General Provident Fund (av Provident Fund)

Government Pleader: Age of appointment, Batchelor 28,854 Promotion to I.C.S., formerly when rather elderly 28,858-8 but now younger, Batchelor .

Grading (see under Collectors, &c.).

Graham, Lancelot, I.C.S., evidence of - 28,734-909

Heads of Districts, interpreters not required as a rule, - 33,435 Bharnohn

Higher Posts: (Employment of Europeans in, see under Europeans.) (Employment of Indians in, see wader Indians.)

Reservation of certain number for P.C.S. advised, and details, Bhurgri 32,081, 32,094-6, 32,142-51 Selection to, source of grievance, Madgauber 30,848 Hindus:

maus ; Nomination of me objection if thend proper, Kotheri 32.767–70 Prepanderance in I.C.S. anticipated if sinustaneous examinations adopted, Kothari 39,689\_96

32,726-8, 32,766-70,32,810-22 Preponderance in P.C.S., Kotheri - 32,681, 32,726 39.777\_89

History of India, care necessary to avoid widening difference between rulers and people established by different invasions and compuerors, Sobuse - 30,223 30.347

Home Civil Service Examination, combination with Indian Civil Service Examination (see mader Indian Civil Service Examination)

Home Service, conditions less ardaeus than in I.C.S. and more attractive, Emberth, 28,699-701; Cautia 29.261.

Housing (see under Residences).

India: Improvements, and present race not inferior, Chan . 31.276-80 danarkar as one Province with feeling of nationality, desire for, and feeling growing, Keikur (32,977-87) 23 OTR-9 India Office clerkships, recruitment to for Indian Civil

Service suggested Indian Civil Service: Attractive to Indian students as a career, Peronip

Addition to not advised, but no reduction neces Curtin -Comparative number of Europeans and Indians and Josepho error, Kelkur - 32,904, 32,998-9

33,987-196 Increase advised, as officers overworked, Procto

Revision necessary, and extra posts required, Curtis 29,081, 29,366-70

Strength, comparison of theoretical with scinal Cost of equipment, &c., advances for, regulation

Biolonk 28.654-8, 28.744-9 Dissutisfaction with position and prospects, chiefly among juniors Doctrine of alcofness dangerous, Chandoserka

31,130, 31.299-300, 31,334-6

Squality of treatment desired, Paragigue 26,588-9
Reample of clean and healthy life, and high
standards of justice and humanity, and effect of
on P.U.S., Madganian 30,784 (12) on P.C.S., Mangawar Grades, number of officers authorised satisfactory, Ection 32.918
Importance of good manners, Laurence 30,706-9
Improvements would enhance reputation of, Cartis

Increase of work, particularly office work, at expense of out-of-door work, and disadvantages, Berron 98,005-14

Less attractive, and question of reforms to improve attractions, Crump - - - 27,611, 27,768-72

Indian Civil Service-continued,

Last of Indian Civilians and communities to which they belong, in various presidencies, L. S. Mekta p. 73-4 Men not usually posted from same Presidency, Ang

97 971 Newly arrived civilian, Presidents of municipal boards soon after arrival, Madqaskar -30.836 31,056-8

OSGANISATION:

Fairly satisfactory, Madgaskar . - 30,888 Unsatisfactory, and resoms and recommendations. Laurence - 30,542 Overwork, Mead, 26,858; Proctor, 30,131.

Proposals sent in, referred to, Grahem -29,852-5 Protection of claims of existing members necessary if Ludian element largely increased, Barrow

23 309\_9 Renaming as "European Civil Service for India suggested, Bharacha -- 32 346 Special memorandum of Bominy Government

p. 503-11 no Traces of communer's institutions noticeable in members, Aga Khan -- 27,266 Transfer of appointments to P.C.S. from, should not take effect to prejudice of members of, Gruhan

29,755, 29,908-9 Transfer of certain posts from special services advised, Lauvence 30,592-4 Young civilians, no lack of thoroughness in work but more detail thrown on, Curtis (see also Pay, Pensions, &c.)

Indian Civil Service Act, 1861, no Native of India appointed under during last five years .

Indian Civil Service Examination ;

AGE LIMITS: 17–19 advised, and reasons, Burrow, 28,068, 28,077 28,178, 28,327-8; Curtis, 28,973, 28,976, 28,983, 29,055-9, 29,963-6, 29,200-7.

19 prejudicial to Indians, Sharp - 32,637~8 20-22 proposed, and reasons, if present system

Advocated, Mens, 26,641, 26,608-700; Endunk 28,553; Kadri, 29,919; Jinnah, 51,709, 31,907-11.

on August 1st advised, if Indian universities remove restrictions of age 16 for entrance. otherwise 22-24, and reasons, Madagokas

22-24 (present limits):

 Le (present mints):
 Approved, Paranippa, 26,044, 26,189, 26,258-61;
 Apa Ehan, 27,043, 27,091-3, 27,116;
 L. S. Mehla, 27,346, 27,348, 31,528-9;
 Crump, delda, 27,040, 27,040, 31,023-2; Crump, 27,318, 27,664, 27,675, 27,721, 27,732; Sibnis, 30,235; Leuroseci, 30,488, 50,492, 30,699-765; Chandovertar, 31,104, 31,108; Kathari, 32,663-4, 32,715.

for Englishmen, approved, Kelkar -- 32.889 if Simultaneous examination adopted, approved, otherwise 23-5, Madhasidi - 33,228, 38,230. 33,273-4

Question of smoorems not advocated, Paranjago 26,335-2 23-25 advised, especially for Indians, Bharger 32,988, 33,177 Question of sufficiency of training, but earlier

Differentiation between Indians and other naturalborn subjects:

19-21 advised for Indians if 17-19 for English,
Barrow 28.173-8 24 advised, for Indians, Taleyerkhan 1 27,967-8

I year later for Indians if simultaneous examimatica met adopted, Kelker, 32,891, 32,947-51, 33,103-11; Madhavlal, 33,280.

I year later for Indians advised, and 2nd chance to 1st five suggested, Toleyarkhan . 27,944,

 not Advocated, Paranjnye, 28,046; Aga Khan,
 27,045; L. S. Mohta, 27,385; Barrone, 28,081;
 Kadri, 29,921; Lenvente, 30,492; Medgastar,
 39,803; Chandanarkar, 21,108; Jinnah, 31,771; Estheri, 32,664; p. 433.

Separate examination straight away preferred

INDEX. 525

Indian Civil Service Examination-continued. AGE LIMITS-continued.

Earlier:

Difficult for Indians, and question of altering syllabus in consequence, and comparison of 

33.045-64 to Enable candidates to complete Honours Course at University, advised, Graham 29,757 for Indians, 17-8 advised, Mead 26,645, 26,701-4

Later, some disadvantages, but outweighed Madgarkar - 30,799 Raising of, synchronised with larger admission of

Indians -- p. 433 Recruits of different ages: Comparison not possible

Later recruits better, Chandararkar - 31.105 Latest recruits too old, Mend - -. 96 649 Merits very much alike, Lawrence -. 30 469 Recruits at later age equal, if not superior, to those at earlier age, Madyaukar - 30.800

Reduction: Advised, Kadri 29,967, p. 439, p. 410, p. 503

not Advised, Parasippe, 26,170-2, 26,272-3, 26,550-61, 26,578-80; P. M. Mehra, 31,396-9, if Reduced to 17-9, schools would arrange

Reduced to 11-v, control syllabus secondingly, Cartis 28,983, 29,055-9, 29,292-5 School leaving age, not approved, Graham

29,802, 29,842, 5 Alternately in England and India, scheme, and remarks re, Karandikar, 28,361 (iv), (3), 28,362 (iv), onetate, and 28,365, 28,365, 28,365, 28,362, 3, 28,365, 28,365, 28,382-3, 28,468-13, 28,461-70; P. M. Mehta, 31,594-6.

Classes successful in, Paranipge . 46.039.40 COMBINATION WITH HOME AND COLONIAL SERVICES BEAMINATION:

Advantage of Colonial C.S., but advantage of inclusion of Home Service doubtful, Erbenk

99.550 no particular Advantage to Indians, Kelhar

32,880, 33,041-4 Approved, and reasons, Paranippe, 26,037, 26,438-42; Mead, 26,633; L. S. Melda, 27,339; Cressp. 27.611; Kadri, 29,912; Sabnis, 30,227; Lawrence, 30,478, 30,720-1.

not Approved and reasons, Cartis, 28,361; Mad-

not Approved, and reasons, 6xrts, 28,364; Mea-gackar, 30,789; Bhurgri, 32,076. not Approved, if tendency to take best men for Home Service, Madhardd - 33,221 probably Detrimental to LCS. - p. 431 Disadvantages, but more gained than lost, Curtis 29,478-80

Drawbacks, and I.C.S. Examination for men two years younger advised p. 503
Increaves odds against Indians, Barrow 28,068
Statement showing order of merit of candidates
selecting Home GS, in last 10 years p. 421
ould be Confined to born Eurobishum p. 421

should be Confined to born Englishmen, Erbank 28,561, 28,578, 28,585-6 a "Cram" examination, Eschault -· 28.677-80 28,687-91, 28,714-5, 28,731

Defects, Aga Khan. 27,110-1; Kelkur, 32,878. DEPECTS:

Excludes poorer candidates of both races, Madqurkur Intellectual test only, Mend, 26,630; Barrow, 28.065.

Legal training not provided and undue prominence giren to certain subjects, L. S. Mehta - 27,337,

DISPERENTIATION BETWEEN NATURAL - BORN SUBSECTS:

not Advised, Mond. 26,632; Louvener, 30,477; Curtis, 28,963; Chandararkar, 31,024,

Breinston of subjects of Colonies, evcluding Indians advised, L. S. Melda, 27,340; Karan-dikar, 28,361 (i) (iv): Exhank, 28,561; Mad-garhar, 30,788, 30,791, 30,795; Jianah, 31,760. garraer, vol. ee., vol. ee., vol. ee.; Junion, 41,760, Essier for Indians to pass after study in Empland, and question of, Kelker 23,054-64 Equally suitable for Indians, Barroer, 28,067, 28,127-30; Chandararkar, 31,093; Jinasik, 31,759.

Indian Civil Service Examination-continued.

adim Grif Serries Emmination—confeved.

50 de Jauly Statish fra Indian S. 621, 5250.

53 de J. Paragiga. 26,000. 20,073. 26,10-3.

53 de J. Paragiga. 26,000. 20,073. 26,10-3.

53 de J. Paragiga. 26,000. 20,073. 26,10-3.

55 de J. Paragiga. 26,000. 20,073. 25,10-3.

55 de J. Paragiga. 26,000. 27,073. 27,073.

55 de J. Paragiga. 27,073. 27,073. 27,073.

55 de J. Paragiga. 27,073. 27,073. 27,073.

56 de J. Paragiga. 27,073. 27,073. 27,073.

56 de J. Paragiga. 27,073. 27,073. 27,073.

56 de J. Paragiga. 27,073. 27,073. 27,073.

57 de J. Paragiga. 27,073. 27,073. 27,073.

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57 de J. Paragiga. 27,073.

57 de J. Par

Facilities for Indians not count, but men unable afford it should not aspire to it. Kadri 22,936

Falling off in number of candidates, partly due to imadequate pay in junior maks. Beloak 28,570, 46.751

Improvement possible, Mond, 26,629; Kndri, 29,910. Indian M.A.'s have little chance, Parenjpys

Indians pailing in: Comese advised -- p. ang

Difficulty in finding employment. Paranjpa 26,186.8 Employment in other services desirable, Paranipa 20,112

Posts available in P.C.S. advised, Carte-ALC: YES 29.051

Modification to make success by cramming less possible advised, and suggestions, Exchant. 28,565 possible adviced, and suggestions, Enhant 28,365 Other centres not advicated, Mond, 26,666, Grang, 27,514, Barrow, 28,071, Carlis, 2,967; Kadri, 29,915; Laurente, 30,181, Modjardar, 30.792; ('kandararbar, 31,190 2

Presupposes certain qualities among Europeans, not necessarily found in Indian members necessarily found in Indian members - j. 129 Satisfactory in principle, Neat 2,866, Protoply, 25/03; Heington, 25/24; Aga Khon, 27/031, 27/031; Cranp. 25/09; Berrar. 25/03, 25/03, 25/129; Bellank, 25/57; Bellack, 25/00; Carlos, 25/00, 20/04; Graham, 25/03 (25/25), Kaday, 25/04; Penter, 20/07, 20/08, Solum, 20/22; Madayahan 20/28; Canadorarka, 40/04, 16/04; Edward 20/05; Canadorarka, 40/04, 16/04; Edward 25/05; Canadorarka, 40/04, 16/04; Jinneh 31 757; Kelhari 32 656, 32 656 7; Kelhar. 32 877; Madharlal, 33 218, 33 222; Sath., 33 371.

33,353, p. 503, Satisfactory in principle for Englishmen L S Melita not Satisfactory, and reasons, Learnence 30,171

Separate Examination (see fluid tidle) multaneous Examination (see fleet title)

Sufficient facilities for Indians, Harmyton 26,939 not Sufficient facilities for Indians, Batchelor

SYLLABUS Agricultural Chemistry as optional subject not 

20.541 9, Blorger, 32.071, 32.087, 32.178 Alterations in curriculum not neged if likely to jeogardise scheme for simultaneous excumention. Paraujpa 96 (4) (

Alterations suggested, and question of effect,
Paranjpay 26,200 312 no Change recommended. Clauderarks 31,110 Comparison with curricula and standard of

University degrees, Indian and English and subsequent work necessary. Paranger

20299 319 Compulsory subjects, group suggested ModLarlal \$1,219 \$1,275 Differentiation between Indians and Europeans

mercunation is clearly marine and Lange and not necessary, Paraniper, 25,008, Joy Kloo, 27,037; J. S. Moldt, 27,050, Breeze, 28,082, Carlin, 28,598, Solon, 508, Lancas, 30,494, Madgarlyn, 30,886, Clearlyn, 31, 21,111, P. M. Molda, 31,504, 4, July 31, 775, Bhongri, 32,088 . Kellar, 32,893 . Mar

Economics, higher made a his 1, Mr lood a

30,501, 30,535 English Composition and Leatornies de 84 to e agalsory, but not insisted on Para, p. -25047, 26482 4, 23342

# Indian Civil Service Examination—continued.

Syllabus—continued.

European and Indian branches, and question of
European or Indian classics, P. M. Mekia 31,658-68

Favourable to Ruglish education and to Oxford and Cambridge, Paranippe - 26,035, 25,047. 26,537-49

History, with higher marks advised, Madgewkar 30,804, 30,805 Indian administration, inclusion of, advised, Ago

nuan summistratus, mension et, advaset, Apa-Khen 71,985, 71,986 Indian History, advised, Parenjuye, 26,047, 26,291, 28,582-4; Apa Khen, 27,955, 27,465; L. S. Makis, 27,249; Sabrie, 30,257; Madgratur, 30,594, 30,505; Bhungri, 32,074, 32,967; Kelbur, 20,504, 30,505; Bhungri, 32,074, 32,967; Kelbur, 20,504, 20,505; Mangri, 32,074, 32,967; Kelbur, 20,500, 20,500. 32,892, 32,973.

Indian languages and law only specialised subjects advised, Batchelor 28,765 advised, Balcheter 28,765 Indian Philosophy advocated, Paranipye, 26,047, 26,231, 26,882-4; Bhurgri, 32,674, 32,987.

Italian, exclusion advised, Curtis - 28,977

Law: navsed, Action 32,802
Desirable, but no objections to postpouing till probation if possible to give sufficient study, Mathachai. Mindu and Muhammadan advised, Perusippe, 26,947, 26,991; Batcheter, 28,766; Sahuts, 30,237; Madgaukar, 30,805; Bhurgri, 32,974,

Languages and literature of the East desirable, but European classics also advised, P. M. Mehta 31,496-503

400 for three English subjects, and logic and political economy advised, Curtis 28.977
Alteration to avoid cause of complaint to Indiana advised, Aga Khun - 27,035 Deduction of 100 from marks obtained, maintenance of rule advised, Madgarker -30 805 28,711-5 Maximum number, Ecclash .

Oriental studies advised, Kelkar 32,893, 33,036

40; p. 454 Oriental studies for Englishmen desirable, but neight be postponed till probationary period, Aga Khan

Persian :

Advised, Bkurgri, 32,087; Madhanlal, 33,231. Advised, with marks equal to French, Aga Khan, 37,035, 27,046, 27,088-90, 27,154-6, 27,288-95;

27.287-8 Same marks as for French and German advised, Political Science, higher marks advised, Madgankar 30.804-5

Present, approved, Mead - - 26,647 Principles Inid down by Lord Macsulay's Com-

miltee in 1854, &c. miltee m 1804, cc.: Approved, Mead, 26,646; Cramp, 27,821; Barrow, 28,082; Eubank, 28,544; Batcheter, 28,765; Lawrence, 30,493; Madankar, 30,787,

30,804; Chandararhar, 31,109. Quoted . . . p. 432, p. 433
Question of subjects suitable to Indians and Englishmen if age limit 19, Pazazipye

26,272-83 Revision of marks advised to minimise dis-advantages of Indians, Talegarkian - 27,944

Roman and Greek history, law, &c., knowledge of Latin and Greek should not be expected, 25,047

Sanskrit, advised for English boys, Kelhar 32,892 Sauskrit and Arabic:

Higher marks advised to languages such as Madgarkar -- 30,864 -31,772 Increase of marks advised. Jinual. .

Indian Civil Service Examination-continued SVILLABUS-continues

Sanskrit and Arabic-continued.

anskrtt and Arabic—continued.
Same marks us Greek and Latin advised,
Persusjeps, 26,947, 26,281–361, 26,482–4,
Apa, Ehen, 27,383, 27,646, 27,089, 27,260–2;
L. S. Melda, 27,349; Sebnis, 30,237; Blurgeri,
32,074; Sharp, 32,559, 32,563; Kelker, 32,891,
32,571; Medhandal, 38,231.

Sociology, higher marks advised, Madoaukas

30,804-1 Specialisation not advised . p. 433-4 Subjects more appropriate for Indian administrator higher marks advised, Madgavkar -abjects set, not text-books, Ewbank -28,732-Unfair to Indians, and alterations proposed, and effect. Kelkar - 32,892, 33,038-40 effect, Kelkar Vernaculars advised, Bhurgri - 32,074, 32,087 Vernaculars, omission of modern European languages in fevour of, not approved - p. 434

Viol uses advised in most subjects, Embanh 28,565 no Test of character, but no better devised, Curtis

University degree as condition not advised, Graham 29,844

Indians:

CANDIDATES FOR LCS. EXAMINATION: Age of going to England, Barrow - 28,269-78 not All of one class, Sabnis -30.405-7 Educated in England much same sort of men as those in commerce, Procter 30,191-2, 30,213-7

Capacity and moral qualities, testimony quoted, P. M. Mohia - 31,602-6, p. 30 

98 861.5 often have no Contact with English throughout school and college course, Sharp

32,569-72 DEFINITION OF "NATIVES OF INDIA":

Inclusion of children of Indian parents born cutside India advised, Kelber - 32,888 Inclusion of persons of unmixed European descent Inclusion or persons or annuces marapean tessons not approved, Bhurgri 22,983
Salisfactory, Moad, 26,690; Cartis, 28,972; Low-rence, 30,481; Chaudenerwar, 31,103; Kelhar,

32,662; Madhavial, 33,227. Subjects of Native States should be included

Parenjpye, 26,043, 26,352-3; Mead, 26,725-7; Aga Khan, 27,042; L. S. Mekta. 27,345; Sabnis, 30,234; Madgovkar, 30,738; Jinnah, 31,768. . Use of term "Indian" preferred to "Native,"

Rivington Different standard applied in criticising work, Mead 96.894

Disqualification only as regards higher posts, Paranjpys - 26,038, 26,240-5 with Early education in India and later in Europe better type than men educated in England, Aga - 27,143-4, 27,218

EDUCATION IN ENGLAND:

not of as much Advantage as formerly, as students do not see best of English life, Chandavarkar, 31,170-8, 31,202-7

Adventages, Historion 26,930-7
Desiráble, Paranjope, 26,480-1; Chandavarkar, 31,254-5; Kelkar, 33,171-2.

Doubtful experiment, Procter

at Barly age:
at 13 or 14, impracticable except in case of
wealthy parents, P. M. Mehla 31,823-8
14 too young Chandwarker 31,968,31,359
have been been seen as the 12 un) poung, Chandesarker 31,196, 31,350 not Advocated, Paranjpye 26,227-31, 26,347-53 Dangers at early age, but if ancessful, good material for recruitment, Mehendale 29,682-6 Desirable, Crump, 27,821; Barrow, 28,259-4, 28,208, 28,303.

Difficulties, Paranjpye, 28,167; Bharucha, 32,326.

no Difficulty se, and denationalisation not anticipated p. 509-10 Disadvantages, but no fear of denstionalisation. Kelkar - 32,879, 33,015-7 Indians-continued.

EDUCATION IN ENGLAND-continued.

at Early age-continued. no Good at public school, Mehendele 29.744-5

no Objections, Carris -· 29.179-80 at Later age preferred to, Perunjpys. 26.488; Lawrence, 30,729-30.

Necessity for protection of hope sent, Kuran not very Satisfactory, Aga Khan 27,123-5
Essential, Barrow 28,193-201 98 267 2
Most daring 201

Most derive only good, but some exceptions,
Paranjpyc - 26,231-3 Paranjpye 26.231-3 at Public school, 14 proper age, and some boys 30.779-90

suitable, Leavence - 39,773-91 Question of necessity of, to obtain desired qualification, Chandazarkar, 31,265-77, 31,281; Jinnah, 31,852-61. Question of value, P. M. Mehta, 31, 610-3; Bharuche.

32,499-501; Sathe, 33,468-71. Religious prejudices on side of parents. Ketkar, 32,879, 33,112-8; Sathe, 33,352.

Supervision arrangements by India Office. Batchelor 28.805-7 at University advocated, Parangage -. 26,041

Enucaren.

Dislike of, on part of average civilian, P. M. Mehter 31,370, 31,444-57, 31,669-72 not More handicapped by language at 18 than 22. Kadri 30,009 Sufficiently for public service, growing number. Procter - - -- 30,084

EDUCATED IN ENGLAND:

DUCARBO IN ENGLAND:
without Becoming dentifonalised, problem of
obtaining, Aga Khan 27,193 201
at College, enter into life of college, Parasippe
26,482-1

us Detached and impartial as Europeans, Mont. 26,909; Subnis, 30,399-403. Less satisfactory than those educated in India, Eubank 28,561, 28,682-6

Hobank - 2000, Cramp from Same social class as acombers of I.C.S., Cramp 27,896-8

Superior, Rivington -26,925, 26,936 EDUCATED IN INDIA:

as Impartial as Buropeans, but have great difficulty in administration through being on terms of intimery with Indians of district and obliged to justify opinious more carefully, More 26.873 5. 26,884 5

Reputed partiality, due to state of mind of public Mond . 26,906-8, 26,912 Efficiency equal to Europeans, Jinuah 31,739, 32,002 Efficiency increasing, Proeter 30,146, 30,202 not so Efficient as English on an average p. 503

EMPLOYMENT IN HIGHER POSTS:

2 only in Judicial Branch, Sathe

- 33,357

Advantages of Indians over British in some respects, Madgarbar - - 30,784 (xiv)
Danger of corruption, if increased, chief danger, but decreasing, Madgarkar . . 30,784 (xi) Demand for, compliance not necessarily advisable, and reasons, Rivington 26,924, 26,995-7,001 Equality with English desirable, P. M. Mehto p. 308

Guaranteed minimum by scholarships may be supplemented by other Indians

Increase:

erenso: Advised, Parenjpge, 26,204-5; Cramp, 27,894-5; Carlis, 29,660; Graham, 29,755-7; Madgart, kar. 30,784 (xviii), 20,918; Chendevarlar, 31,966, 31,139; Jimah, 31,758, 31,860, 22,362-5; Bharacha, 32,356, 32,343; Kelher, 22,852, 32,964; 32,296-9, 33,087-102; Sathe,

27,708-10, 27,756-8, 27,521, Cronp.27,651-5, 27,708-10, 27,756-8, 27,762, 7,27,816; Certis, 28,980; Prorter, 40,072, 40,080, 30,085-8, 30,155-66, 30,202, 30,221.

by Listed posts advised, Laurence 30,572, 20,600 by Means of present method of recruitment, nor anticipated, Barrott 28,190-1

Indians-continued.

INDEX.

EMPLOYMENT IN HIGHER POSTS-continue! Increase-continued.

must not be Permitted at expense of officiency, and slow change preferred. Madgart or 39.784 (ciri)

Slight increase from time to time suggested, 27.623

not Wanted except by same tests as Englishus n

training included in education. Recogles

26,969.70 Points to be considered and comparison of qualities necessary. Madgarkar . 30,784 iv.). (v), tymp

Proportion : Fixing of. Sking of, not advised, Apa. Khan, 27,038, 9
 27,048, 27,127, 34, 27,210, 1, 27,297, 8, Barrow,
 28,072; Graham, 29,785, 7, Madhardal, 33,223

Minimum suggested, and question of immediate increase up to, Barrow . 28 084, 28 102 0 28,135-9, 28,189

Present proportion, Aga Khan 27, 63 Proposed, Mend. 26,784 93, Erband, 28,561, 28,593-5; Carlis, 29,283 6, p. 135, Kade, 29,922; Salaris, 30,240, 30,294 5, 30,383 2, 30,426 31 ; Lasercace, 30,395 ; Chandwrochus, 31,096 ; 31,113 ; 31,140 2 ; 31,150 ; 31,236 ; 31,301 3 . Bharacha, 32,328, 32,330, 32,378, Kuthari, 32,665, 32,730 4, 32,830 5

Question of efficiency not policy. Proetice

30,081.3 Reservation of fixed number for Indians advised Reservation of places for special interests or

religious not approved, Karaudilar - 28,361 chand a Reservation of posts, number proposed and

Review of questions before Commission and bearing Madgarkar 30.784 Small number and no injury anticipated if

increased, Aga Khou -27,272 ( Statutory guarantee for filling of halt posts by Indians advised, Kelkar 32,895 42,954 5

33,166 76 Experience of English life desirable. Aga Khan 27,145 do not get Fair chance, Modgarkar Grievances of educated class, not communicated to uneducated so far, Revington 26,989 and Increasing desire to take part in public life and loss

desire for Government service, Cloud medar 41.315, 41.716 IN INDIAN CIVIL SERVICE

Class bias, question of, Croup 27 824 53 Details re-custes, Madgarkar 59 759 Pull support should be allowed to Bornel Lar

28 3d so, tip 18, Indian officers should feel at home to versus and superior to doubt and suspector of integrity, just as Europeans do Korondolou 28 Sel 140

Inferiority, no sense of but possible if number, mercased, Bharneha List of, with details a posts and length of sory,

Necessity for English spiral and question of acquiring, Apr Khoa 27,142 of Same class but different enhine and 1,250 Same class but direction cannot means, from members of P.C.S. Reft in 201026.

Same standard of living as English adapted Lip, Madgark ir Supersession, example, Mody oft is 20,548, 20.50 31,61% to

Standard rising, Monl. - 20 m-Standard rising, Moor Unsatisfactory treatment due to pain my of Lobe, officers in service, Karon L.P., 28 (2011) 33 and Wanting in administrative cap obj. Soc.

Language not a great han Feige S' (s) 1 (2007). Mossures for finencing regular r. 1 (1) (6) Government, history of 1 (1) (7)

000	
Indians—continued.	Inefficient Officers, retirement of on reduced pensions (see under Pensions and Retirement).
as Member of Council and in control of Local Government, advised, P. M. Mehla . 31,713 Memorising facility, disputed, Paranjpys 26,938, 26,948, 26,473	Inspectors of Primary Schools, posts more suitable for civilian, Laurence 30,592-3
Moral qualities probable with high intellectual qualities, Paranjage 22,476-8 with Oriental standard, explanation, Mead 26,345-7 Plans for betterine lot of, not carried out, McMar	Insufficiency of Staff, I.C.S., Executive officers are overworked, Mond. 26,858; Proctor, 30,131; Leavence, 30,542, 30,535-9.
32,904 Precocious between ages of 15 and 19, Sharp 32,641-3	
32,641-3 no Proper trial of ability to govern, Karendiker	J. Jinaah, Mahomedali, evidence of 31,757-2072
28,361 (i), (v) Public school education more useful than University,	
and question of method of obtaining it p. 504-6,	Judges, Assistant: Allowance in addition to time scale advised, Graham
Qualities inferior to English in case of men without higher culture and responsibility, Mekendale	29,669, 29,907 Appointment as:
29,490, 29,617 Recrutted in Ergland:	<ul> <li>Dissatisfaction in Previncial Judicial Service re manner of, Cremp - 27,645, 27,717-20, 27,839,</li> </ul>
as Efficient as Buropeans, Chaudeparker - 31,114 may be Regarded as part of English element, Crump 27,652	27,926-7  Half posts should be filled by selection by seniority and merit from members of P.C.S., <i>Karandikar</i>
Superior to Indians recruited in India, P. M. Mehta p. 307	28,361 (10) High Court should be consulted, Baickelor, 28,776
Very tew, Rivington 26,534, 29,633 Unit for service if unable to rise above caste, and no example re, Medgantar 30,734 Work estisfactory, Kelkar. 32,895; P. M. Mehta, p. 307.	Ghandeuriko, 31,346. only Inferior posts open to P.C.S., and no complaints re pay, but recuritment from practising pleaders suggested by some, Madgarbar. 39,351. Less centrol than formerly over, by High Court, and disadvantage, Narandikar. 28,361 (vii)
Indian Services Family Pension Fund:	Lasrep Posts:
Admission on Indians:	Abolition of, advocated, Gramp 27,645, 27,660-1,
Advocated, with condition of forfeiting contri- butions if second wife married in lifetime of first, Medgenkar 90,884 not Advocated and reasons, Curtin, 29,912, 29,108 -10, 29,317-8 Compulsory advised, Madgankar 90,885	17.717-20 Increase of two advocated. Talegarkhan. 27.340 Held by members of P.G.S. Number of, Mchendale. 29,433 Pay, and increase advised, Talegarkhan. 27.983-6, 28,004-10
Optional, advised, Laurense 90,541 Contribution towards expenses of son at University during lifetime or after death of subscriber advised, Barrow 28,117, 28,200-12 Contributions, proportion, no statement issued, but private opinion, as to excessive amount, Barrow 28,318-9 28,318-9	Ressons for starting, Grump 27,859 Recommendations by High Court advanced, Meleandale 22,783-9 do not Make good laryers, Sofile Number of pusts and method of recruitment, pay- powers, Sof., Gristop 25,674-9 25,677-9 27,677-9
Contributions should cease after retirement, Mond p. 525	Pay:
Dowry to daughter on marriage should be payable whether in lifetime or after death of subscriber, Barrow 2, 2117, 28,209-12 Radussion of Indians not approved, Laurence 30,340	Details, Telegarkhan 27,933 Grievances re, Gramp Incresse advised. Cartis, 28,999; Graham, 29,769; Madgaskar, 39,838.
Increased rate of contribution advised to allow of higher allowances, especially to sons, and com- pulsors. Curtis - 29.011, 29.111-2, 29.217-20	Loss of permanent travelling and tentage allowance, source of loss to, Madgaukur 30,853 One postat least should carry salary of Rs. 800 or
Pensions of sons should continue to 24, Graham, 29,781; Laurence, 30,583; Mead, p. 525. Repsyments to officers retired for inefficiency advisable.	Rs. 900, Talegarkhan - 27,946 Particulars in relation to work, Batchelor 28,934-9
ndvisable - p. 445 SEPARATE FOR INDIAN MEMBERS OF I.C.S.: Advised, with compulsory admission, Cartis 29.012-3	Suitable sum suggested, Madgankor 30,859  Powers and training, Gramp 27,912-22, 27,928-9  Proportion, block in, suggestions for removing,
not Advised, Madgavkar 30,886	Gramp 27,687-90  Banked as holding inferior posts and paid as such,
Indian Students:  Bouthay University, number of students going to England for LOSs greater than number unable to go, and class. Paranjage — 25,389 Capacity compared with English, Paranjage 25,478–5	Gramp: 9.7,621 Stortage, Crampi 9.7,621 Time scale proposed, and will abolish grade of, Grakess 22,772 Transference of etiminal powers to, from deputy collector suggested, L. S. Melda 27,478-9
IN ENGLAND; Dauger not great. Aug Whom	Judges, District and Sessions:
Dauger not great, Aga Khan	Absorption in criminal work, and consequent devolution of civil work on first-class subordinate indees, Scott 25,902, 25,937-9

nt Fergusson College, careers most attractive to,
Peranjpye 26,373-6
Knowledge of mathematics. Paranjpye 26,263-73
Knowledge compared with that of English boys,
Paranjpye 26,274-83 Knowledge compares 26,274-22 Parenjpye 26,278-22 Number of graduates and M.A.'s, Parenjpye 26,418-9

the Research and first-class degrees gained by, class representation, details, Parentipse 25,038

Absorption in criminal work, and consequent devolution of civil work on first-class subordinate judges, Scatt -25,902, 25,937-9 devolution of ciril work on first-bases successive and the control of the control

Ascertaining fact most important part of work, and qualifications necessary, Balchelor . 28.771, 28,942-7

INDEX. 539 Judges, District and Sessions—confineed.
RECRUITMENT—continued.

Judges, District and Sessions—continued. CIVILIAN:	Judges, District and Sessions—continued. RECRUITMEST—continued.
Approved, Chandararker 31,160	from Government pleaders not advised. Large account
Barrister makes better judge. P. M. Mehta 31.694-5.31.703-6	30,710 Reservation of certain proportion of posts for
Good judges, and knowledge creditable compared with Indian barristers and judges. Chanderarkar	Bur and P.C.S. jointly advised, Batchelor 28,797-8, 28,917-
31.253-5, 31.284-93 as Good as others if training improved. Sathe	Regrading advised, and details, Gorban . 29.76
33,484	Relations with Collector might be less friendly if it different service. Berran 28,311-6,28,93
Indians better than Europeans, Keikar 33.183 Knowledge of law, language, &c. insufficient, and criticism of methods, Karandikar	Reservation of considerable number of posts to LCS, advised, Scott. 25,899, 25,918, 25,966, 25,966.
28.361 (viii-x) Power of appreciating evidence wanting, P. M.	Subordinate courts under supervision of number  Batchelor - 28.931: Third grade, pay not excessive - p 11
Power of appreciating evidence wanting, P. M. Mehla 31.458-63, 31.682-4 Preferred, Taleparkhan 27,943 Unsatisfactory, but system to blame. Jimah	Work not hannered through not having acted a
32,029 - 33, 32,449	assistant collector, Taleyarkhan 28,06 Work thankless, Madgarbar 30,838, 30,949, 50
Criminal work, more aptitude required for, than for civil work, and Indian judges less good in, and experience necessary, Scott 25,992, 25,919.	Judges, High Court: no Caste feeling, Jianah - 31.297.2.00
Deterioration, Karandikar - 28,532-5	Civilian: if Deburred from membership of Executive Council
English:	pay and status should be rused to level or member, Grobert
Good judges of fact, Chandavarker - 31,351-2 Ignorance of Indian ways great drawback, P. Mehte	Pension increase to 1,2007 advocated after incar- Graham 29,777, 59,777
p. 30S-9, 31,684 First grade, two posts, question of promotion by seniority or selection, and settlement advocated.	on Circuit, proposal approved, Mchadale 29,000   Independent of executive, question of Karandik to
Madgenkar 30,858 formerly Government pleader, ultimate promotion to	28:361 (cii), 28:456-66 no Indian appointed, Madgarkar 31:011
High Court possible, Batchelor - 28,859	Ineligibility for Executive Council, objections to Karandikar, 28,361 (viii, 28,382 3, 28,525 31
Jurisdiction and work, Batchelor . 28.951-5 Law training, further theoretical, not required, but	Direction, 28,11-3, 20,550
practical fraining in study leave advocated, Scatt 25,943-8	Listing of one post out of three reserved to I C S advised. Medgerbar
Leave, particulars, Grump - 27,748-51 Less control than formerly over, by High Court and	PEXECU: of 1.200f. after 5 pears' service advised. Madgarka.
consequent disadvantage, Karandikur 28,361 (vii)	R0.87) Higher, blocks promotion by inducing judge to serv-
Listad Posts: Increase advised, Cramp, 27,645, 27,658-60; Talegarkhan, 27,346; Graham, 27,973, on Separate list, advised p. 1,65 cm. p. 466	longer, Cramp 27,910   Three posts should be reserved for LCS, and reasons, Scott 25,820, 25,912
Number and particulars, moore, 26,381-2; Menca- dals, 29,493.	Judges, Joint: Additional, advised, Graham 29,569, 29,771, 29,80
no Objection to appointment from the Bar, if suitable man, Graham - 29,794 Pay, increase advocated, Talegarkhan - 27,946	Allowance in addition to grade pay advised, Graham 29,907 Half posts should be filled by selection by seniority
27,986-8, 28,911-2 Subordinate judges not satisfactory, and pleaders,	and merit from members of P CS. Korondillar 25,361 (In
&c., preferred, and suggestions in lieu of, Scott 25,990–3 Third post added u. 437	Judges, Small Cause Courts: Listing of posts advised. Melandule. 29:532, 29:645- 9; Kalbari, 32:671, 32:901-4
Third post added p. 437 Three appointments relisted p. 457 Training as public prosecutor most valuable, but	Number of Mehendale 29,193  Pay, reduction, and increase advocated, Mehandale 29,729 pa
recruitment from public presentor entirely not recommended, Scatt - 25,302, 25,933-6 Want of criminal experience in officers of Pravincial	Posts formerly open to P C S. lost, Cramp 27,601 Privilege leave on full pay, question of Mehandale
Judicial Service, Scott 25,902, 25,919, 25,984-8 Number on Rs. 1,800 and over error in Appendix	Judges, Subordinate:
VIII. p. 4-ic Number, error in Appendix VIII. p. 4-ic Offer of few posts to distinguished Government	Appointments made by High Court, and satisfactors, Melendale 29,506, 29,501
Offer of few posts to distinguished Government pleaders advocated. Batchelor 28.788	Appointments and particularly promotion le High Court advised, as interests often overherne by executive, Hatchilor 28,775, 28,832, 5, 28,875, 54
Pay:	25 910 6
Average in all provinces, table, Graham . 29,769 Higher rate of pay should be possible, Crossp 27.763-#	Calledon State of the Addison of the Control of the
Less than in other provinces, Batchelor . 28,923 Levelling up of, advised, and rate, Madyarkar 30,838	camanactorpopulation adviced, Mela dele 2006 no Complaints re appointment, Sathe 33,148 & Conferring of criminal powers on, more fiscal, adviced, Groups
Promotion, system p. 442 Promotions from Indian Bar, restriction to men who	Chiminal Work and Alexys satisfactory, Sect
have served as Government pleaders advised.  Batchelor - 28.776	29,751-2 Energencies estisfactory, Suffs
Qualifications necessary, Comp - 27,617 Recruitment:	Experience of in famine times favourally, Mais- garker
from the Bar:	Difficulties a clutation of family, and pay in each trans-
not Advised. Meleculale 29,643-4 Advised, to some extent, Scalt 25,946, 25,994-9 Local, preferred, Scalt 25,995-9	McLadde 22/22/76] ne Difficulty in sortinging deal and criminal weel. Softe 22/479-29
	B 2

32,927

- 29,746

28,747-8

26.024-5

Judges Suberdinate-continued.

Alterations suggested, Mehendale 29,492, 29,540-3

Cartificate re practice abould be more specific;

30,301, 30,012-4, out,102-6, out,

from High Court pleaders not advocated, Crump

Abolition on certain conditions advised, Meken-

from Practising pleaders advised, Mehendale

30,557, 30,615-7, 30,762-5

28,036-8

27,931-2

29,492, 29,720-3

Direct to grade of Rs. 300 advised. Lametees

RECRUITMENT:

Mehendule

Qualifying posts:

Kelkar

poor, Kelkar

Mehendule

FIRST CLASS:

 $P^{\mathbb{Z}_{2}}$ 

Judges, Subordinate-continued. Distribution of posts among communities, table.

Double graduates as a rule, Meheadale -

Double graduates as a rule, Assermant Duties of district judge often performed by, but pay 32,900

Duties more responsible than those of mambatdurs,

Excellent body of men and success in criminal work anticipated, Chandavarhar 31.205, 31.337-9

IRST CLASS: with Appellate powers: should be Assistant judge with appellate powers of district magistrate, Madge war 30,911

Increase of pay advised, proportionate to amount of civil work discharged by, for district and

sessions judge, Scott . 25,902, 25,987-9,

26,024-5	A DOUBTON ON COTTAIN CONDITIONS REVISED, Maken-
Now grade advised, Scott - 25,938-9	dale 29,492, 29,698 System unsutisfactory, Batchelor 28,775.
Appointment of assistant judge and, should be amal-	System unsutisfactory, Batchelor - 28,775, 28,928-9
gamated and interchangeable, Mehcadale 29,510	different Systems, Mehendale 29,494, 29,088
Recruitment from 2nd class subordinate judges.	Selection of candidates, after 3 years advised,
and High Court and district court pleaders	Mehendale - 29,492, 29,692-5
advecated, Sathe	State of along medium in 4 and on and non advised
should be Treated as 1st class officers under	Second class, grading in 4 grades and pay, advised, Sathe 33,363, 33,383-7
Article 1002, Civil Service Regulations, Melen-	Senior grade, employment in supervision of junior
dale 29,592	grade advised, Langrence 30,557
Grades, 1887 and 1912, comparative statement	Superior class with appellate civil powers advised in
p. 501	lieu of listed posts and pay, Scott · 25,992-3
Grades below Rs. 300, title of munsif suggested, and	Tendency to sink into conditions around them, only
appointment open to clerical staff of Judicial	drawback, Chandasarkar 31,345
Branch, but promotion to subordinate judge rare,	VESTED WITH ASSISTANT SESSIONS JUDGES
Laurence 30,557, 30,761-5 Grades, revision of contemplated p. 467	POWERS:
High standard of probity, intelligence and work,	Complaints of work not properly done, Crump
Batchelor, 28,775; Madgarbar, 30,910.	27,864-6, 27,869
	no Objections, Cramp - 27,867-8
Increase for appellate work advised, Batchelor 28.950	Work important and satisfactory, and increased pay
Increase not necessary with separation of functions,	advised. Scott 26.026-93
P. M. Mehla 31.739	advised, Scott 26,026-93 Work in famine times successful, P. M. Mehta p. 309
Indicial powers of Mambatdars should be taken	(see also Judicial Service, P.C.S.)
away and given to, L. S. Mohta 27,872, 27,412-5,	
27,462, 27,592-606	Judicial Administration:
LEAVE:	Capacity and adaptation to new methods, Kelkar
Furlough, rare, Mahandale	33,181
on Medical certificate, rare, Mehendale - 29,519	Civil cases, Bill to take away certain cases from civil
Privilege:	courts to executive officer, referred to, P. M. Mohta
on Half pay only as a rule, Mehendole 29,519-20	31,680-1
Joining on to vacation, if required, advised,	CRIMINAL: Arrangements re work, P. M. Mehta p. 309
Mehendale - 29,523, 29,568-2	Desire of I.C. servants to remove decisions from
on Private affairs, rare, Mehendale 29,519	judicial tribunal to executive officers, P. M.
very Short periods taken, Mehendale - 29,513	Mehta, 31,417-21, 31,680-3, 31,725-7, p. 307.
Without pay, rare, Mehendale	Influence of supreme officer on decision, Chanda-
Magisterial powers;	varbar. 31,200-2, 31,206, 31,256; P. M. Mekta,
Advised as criminal experience necessary, Laurenes	31,744-5.
30,526, 30,550, 30,613-4, 30,649-52, 30,757-60	Injustice in trials undertaken by young assistant
should be Assigned to, and power to hear appeals	judge, Saiks 33,369, 33,472
against decisions of clerks of court, Karundillar	Power of appreciating evidence most important,
28,362 (vii)	P. M. Mehita 31,731-8
Magisterial work would interfere with civil, Chande	TRIAL OF CASES ON TOUR:
Number, Sathe - 31,838-9 - 33,414	Date and place usually given, Bharucha 32,441-4.
Number, method of fixing - p. 466, p. 500	32,492-3
PAY:	Difficulties, Madgankar, 30,849; Saths, 33,442.
Inndequate, and increase advised, Scott. 25,920-1;	no Direct complaints, Barrow - 28,246-7
Batcholor, 28,775, 28,948-9, 28,958; Mad-	Disadvantages, in Sind, and no information re
gavkar, 30,903; Chandavarkar, 31,366; Bhurgri,	place given to witnesses, Bhargri 52,204-24, 32,251-72, 32,318-20
32,321-2.	32,251-72, 32,318-20
Special allowance for appellate work, &c., advised,	no Disadvantage and procedure, Leasunce
Mehendalo, 29,724-8; Taloyarkhan, 28,043-4.	30,657-63
Practice required before appointment and question	Tedining Personal Title
of amending rule, Crossp 27,933-6	Judicial Branch, I.C.S.:
PROBATION:	Additional superior posts for Indian service advised, Bharacha 32,340, 32,380
Advised, Mehendale 29,734-6	
Required to serve for 2 years on probation - p. 466	Annual holiday a point in favour of, Medgavkar 30.961
PROMOTION:	BIPURCATION:
to District judgeships direct advised, Cramp	after 2 years advised on mossibly 4 or 5, but not
97 848 97 717 90	after 2 years advised, or possibly 4 or 5, but not more, Sabais - 30,252, 30,301-3, 30,388-92
Prespects poor and slow, Taleyerkhan 27,946 Too slow, Cramp 27,892, 27,856-7	after 3 years suggested, Karandikar - 28,388
27,692, 27,856-7	after 3 or 4 years, Madgavkar 30,797
nank and precedence should be higher, Batchelor	<ul> <li>after 4 years advised, Laurence 30,519, 30,717,</li> </ul>
28,775	30,784–9
no Real correspondence between Mamlatdars and, Orang 27,937-8	ulter 6 or 7 years suggested, Batchelor 28,842-3
Oramp - 27,937-8	after S years advised, Scott 25,908, 25,926, 26,000,

511 INDEX.

Judicial Branch, LCS,-continued.

BIPURCATION—continued.	Listed Posts—continued.
at Early stage advised. Kelkar - 32,913, 32,974	System unentisfactors, and separation from ICS
after Examination advised Bhurgri, 32.082, 32.105. 32.157-9; Madharlal, 33.285-7.	ndvised if pay, &c. different, Melendric 29,569, 29,585
Men with leaning towards judicial career required.	a Third of posts advised, P. M. Melde - p. 389.
Chandanerber	a, 31,423, 31,614, 24, 31,697-8, 31,748-9
Pressure to be avoided, Madgarkar 30.797	Loss of membership of Council to and of judicial secretaryship to and restoration advised. Madgar-
Usual period advised, Scott - 25,927-8	kur - 50,538, 30,818, 30,852, 31,607-22.
Caudidates, examination or test advised re know- ledge of law, <i>Helkar</i>	31,009 72, 31,081
Chosen by men of inferior intellects, constitutions,	Minimum proportion of Enropeans less proposary
&c., Karandikar - 29,361 (vii), 28,430-4	than in Executive Branch, Barrow 28,081.
COMBINATION OF EXECUTIVE AND JUDICIAL	28,017-9
Functions: Approved, <i>Hadri</i> - 29.937, 30.036-47	PAY AND GRADING of Higher and lower branch, suggestions, Madgar-
no Appreciable amount of injustice, but cases	har
known in earlier days, Chondoverkor 31,256-9	Improvement advised, and rate. Scott, 25,921.5.
fairly Complete as far as regards civil justice	Čermp, 27,630, 27,601, 706, Madgarder, 30,848, 30,852, f.
p. 443 in Criminal justice p. 443-4	Regrading preferred to time scale. Comp. 27,693
Details, and no change required, Cartis, 28,938,	201
29,226 ; Данстенсе, 30,526,	Revision proposed, and details. Mond. p. 521
Dissatisfaction with, Mehendale, 29,625-33; Sabris, 30,422-5.	Table showing lowest received in all provinces and inferior position of Bombay, Gestion 29,769
Extent of differentiation, Madgaukar 30,849	Time scale might be advantageous in lower grades.
Criminal cases, trial by person stationed at special	Commp - 27,687
place, not more convenient, Barrow - 28,248-50	during Training, particulars, Taleparkhou - 27.9-2
Deterioration, and not attracting pick of service, and	Probation, 3 years, and reading in Barristers' chambers advised, P. M. Mehta p. 300, q. 31,68,
reasons, Karandikar 28,361 (vii)	Jinnah, 31,770.
on Equality with executive branch advocated.  Linuvence	Риомотюк -
Examination of work once a year advised, Karandikar	to First grade district judge, and benck of High
28,361 (15)	Court by seniority advised. Chandmarker 31:102
Peeling that Government is not alive to merits of.  Batchelor	Independence of judgment not considered and to
Furlough after choice of, advised for 2 years,	preferment, impression is, but statement with drawn, Madgarbur- 10848 (1976-80)
Madgarkar 30,797	by Merit rather than seniority. Know delow
Improvement in quality, Chandenarker - 31.102. 31.156	Slow, Cenny 28 161 (14) Slow, Cenny 27 692
Increasing number of Indians, no fear of reversion to	Prospects and position, Ac, interior to Executive
pro-British times, Kelkar 33,182	Prospects and position, &c., interior to Everage branch, Croup, 27,638, 27,808, Graham, 20,769.
Indians well fitted, but only two of higher posts	Madgarkire, 30,838, 30,848, 30,852, 30,949, 50
held, Salke	Qualifications, sound knowledge of principles of Low and power of appreciating evalence necessary,
Judges not considered lit for other work, Madgestar :0,852	P. M. Midde p. 308 q 31,158
LISTED POSTS:	Reasons for preferring Eventure branch to, and
Age of appointment, earlier, preferred. Mehendale	remedies suggested, Madgarkar 30,838, 30,848, 30,852, 31 007, 32
29,599	RECRUPTMENT
Alterations p. 500	from the Bar .
Appointment to, system unsatisfactory, and discontent, and selection by High Court and	Advocated, and presention, spreaded, Telegre-
Local Government jointly suggested, Meleudate	Idam, 27,979; Januark, 31,767; 31,824; 8,34,900; 31,919; 23,32,957; Bloogre, 32,082, 32,179; 81;
29,509, 29,609-12, 29,623-4 Appointment of select pheaders and larristers of	31,919 23,32,064 . Blooger, 32 082, 32,179 81 . Kellor, 32,887, 32,970, 33 184 . Sallo, 33,191 4
not less than 10 years' standing advised, and	not Advocated, entirely and reasons, Scott 25,030, 25,949, 25,982, 4, p. 141.
question of men available, Sabaix - 30,233,	25,030, 25,949, 25,982, 4, p. 141
30,292-3, 30,330-3, 30,351, 30,432-1 Appointments, modification advised. Meleculate	Class of men available, January, 52,041-3, 32,058-61, Saffa, 33,377, 33,587, 35,557-56
Appointments, modulescent accress, pressurar 29,737	no Difference in stability between 14 5 men
Exceedingly good results of system shown in	and barristers, L. S. Mobbis. 27,426-7
work of men promoted, Mangarhar 30,899	from the English Bar, not advocated, Scall 25,986/8
Inclusion in I.C.S. advised, Mchembale 29,550-2 Linercase advised, Mehendale, 29,509, 29,639-42;	Indian Entrister in Presidency town not advised.
Madgarhar, 30,910.	Crimin
Inferior:	not Later than age of 20, Clouder all or
ns Forming same class as first-class sub-judges	31,326.7
appointments, advised, Mehendale 29.510 not Mexical in P.G.S. n. 466	by Nomination suggested, the Lentuc, 31328-334 Januar 31866-70
not Merged in P.C.S. p. 466 Merging, approved, if pay unequal to I.C.S., Midwadale, 29.110	no Objections, for critain protection, Indiana
Zueneautor.	02,712 3
Pay:	of Picked men from P.C.S at early age, dis- content probable, but arrang results possible,
Same as in LCS, preferred, and merging in LCS, Meleculale 29.586-90	Melandole - 20,504 n. 20,000
Time scale not suitable. Mehenduh - 29,517	new Recruits might be mode As of all Judge.
Pension, system not approved, and rate too low, and particulars. Meleculate 29,530, 29,573-4.	and pay, Sather a control of the from Salerdinate a rule, restriction to man
and particulars. Meliculate 29,530, 29,573-4, 29,661-6	with honours certificate or LLM + play-1
Recent appointments, dissettisfaction with,	Kited I Late and the control of the control
Batchelor 28,930-1	Ten years' practice required, Safty = - 011,070 from the Bar and LCS, while d. Classifier of or
from Suhordinate judicial service only advised, Mchendale -29,509	31.15A.31.200
System • • • p. 466, p. 493-9	no Change advised. Born o
	15.3

Judicial Branch, I.C.S .- continued.

Judicial Branch, I.C.S .- continued.

RECECUTHENT continued.

Difficulties owing to poor prospects, Crimip, 27.807: Madgaviar, 30,939.

from Failures on Revenue side, Jinnah 32,024-8 Pres choice to Assistant Collectors advocated, and if insufficient numbers recruited from P.C.S. advised, and unfit can revert to Executive, 30,797, 30,938, 30,942 Madgavkar

from Government pleaders: om overmeen peacets: Advised and reasons, Scott, 25,902, 25,906, 25,951-2, 25,961; Batcheter, 28,895-900, not Advised, Chandavarkar - 31,330

from Indian Civil Service:

from Indian Uvril Service: Advocated, and proportion suggested, Karen-dikar, 28,387; P. M. Mehta, 31,935-8, p. 309; Kelbar, 32,887, 32,909, 32,970, 38,194. Reservation of posts not drived, Kelbar 32,887 Lawyers advised, but not more lawyers, Batchelor

of Lawyers by separate legal examinations, objec-

Limit suggested as between LCS and PCS.

nen, Madganbar 96 266 Dipetions to change likely to destroy sympathy between collectors and judges p. 442 from Pleaders suggested, Soot, 25,902, 25,906, 25,951-2, 25,961; P. M. Mehfs, 31,614-24; South, 33,851, 33,375-8.

Power of appointing Indians should be vested in High Court, Batchelor - 28.761 from Practising lawyers, a certain proportion suggested, and question of men available, L. S.

Mehta 27,344, 27,402-5, 27,477, 27,540-1, 27,554-69 Present, retention in part advised, Sathe 33,375-9

Present, method preferred to recruiting from pleaders of High Court, Crasso - 27.835-42 pleaders of High Court, Crassp Present system not equally spitable for Indians 25,905 Scott -Present method satisfactory, Batchelor 28,771 28,819, p. 441-2

from P.C.S.: Advised, and other methods, Karandihar, 28,361, 28,384-7; Batchelor, 28,895-900; Kelhar,

\$2,887, 33,184. if Insufficient numbers recruited from LCS. advised, Madgaukar - 33,807 Qualifying tests approved, Chandavarkar 31,382-3 Question of men available, Chandavarkar

31,328-33 Reform advocated, Sathe -Reform advocated, Name
Reservation of half posts for LC.S. and opening
of proportion to Indian practising lawyers
advocated, and 20 per cent. by promotion from
P.O.S., L. S. Mehta 27,344, 27,336, 27,540-6 - 33,363

Separate : Advised, and details and ressons, Jinnah 31,767 31,901-5, 31,930 not Advised, Scott, 25,900; Toleyarkhan, 27,945; Batchelor, 28,764, 28,917-8; Curits, 28,971; Graham, 29,756; Sabnis, 30,233, 30,348-50;

Laurence, 30,486; Madgankar, 30,797; Chan-davarkar, 31,102, 31,155-6; Madhaviel, 33,342 33,342. not Advised for Europeans, Cramp - 27,617, 27,790-1, 27,795

Effect on relation of Collector and District Judge, Batchelor, 28,932; Lauvence, 30,766-7;

Chandavarhar, 31,347. Chanacaurary, 31,921.

from Examination advised, Bhursyri 32,682

Objections do not apply to Indians to same extent, but not advised, Grunsp 27,792-4 Partly, advised, Kelkar - 32,887, 32,870
Possible effects, Barrow - 28,344-6 Possible effects, Barrow 25,924-0
a Third of reserved appointments for subordinate judges advised, Satile 33,357, 33,375-9
Three methods advised, Satile 33,452
Uncatiological Engage 21 con Unsatisfactory, Jinnah 31,825 Reservation of half higher posts for Indians advised - 31 895 Scale of fees, smaller than in other Presidencies -33.357

- 33,481

Judicial Branch, I.C.S .- continued.

MICHAI DIRBORY
 SEPRARTION OF FUNCTIONS:
 not Advised, Cartis. 28,988, 29,226, 29,338-75,
 29,465-9; Kadri, 29,937, 30,036-47; Leuvence,

 23,405-3; Ranti, 25,807, 50,930-27; Laurence,
 30,526, 30,653-4; p. 443.
 Advocated, Karandilar, 28,431-3, 28,507-8; Madgaubar, 30,849, 30,988; Chandavarkar, 31,192-203, 31,337-9; P. M. Mehta, 31,627, 31,739-40; Jinnah, 31,974-9.

STUDY LEAVE:

TUBY LBAYE: Advocated, Scott, 25,900, 25,902, 25,949-8,
 25,970-7, 25,004-7, 26,011, 26,029; Batchelor, 28,771, 28,822; Cartis, 28,394; Gruham, 29,756, 24,767, 29,795, p. 441.
 not Advocated, Chandauarhar, 31,132; Kelber,

39,976 Allowance, amount advised, Scott 25,911-2, 25,972 Combination with furlough advised, Scott 25,910,

25,978-4 Furlough for preliminary Bar examination, and later for completion advised, Laurence 30.519.

TRAINING:

Before hifurcation, particulars, Scott 26,000-20 Books for use of district judge required, Oramp 27,638

Course advised, Grahem, 29,796-8; Chandavarkar, 31,159-60; Kelkar, 32,887, 32,975. Details, and no radical change necessary reture, and no radical change necessary · p. 441 in England, not necessary for Civilians, Sathe

Executive:

Approved, Scott, 25,900, 25,907, 25,929, 25,982-4, 26,002-11; Craup, 27,688, 27,759-01; Barron, 28,076; Maraudiker, 28,497, 28,509; Batckelor, 20,ve; narramater, 23,497, 28,509; Batchelor, 28,771, 28,29-3, 28,841, 28,901-2, 28,943-7, Graham, 29,756, 29,705, 29,800-8; Sabnie, 39,309; Laurence, 30,519, 30,717; Madgathar, 30,941; Bhargri, 32,158; Sathe, 33,380, p. 441-2.

Approved, but not indispensable, Chandauarkar 31.157, 31.207-11, 31.282 Injurious to prospects of promotion, Madharlal

. One year sufficient for Indians, Karandikar 98 311

slight Tendency to destroy judicial frame of Three years advised, Helkar 33,445-7 32,973 for Indians to sit as criminal judges, at the bar advised, Scott 25,919
Knowledge of language and customs of people necessary, Karandikar 28,361 (xiii)

Better course necessary, and suggestions and test, Sathe 33,357, 33,360, 33,381-2, 33,473,

Broad general principles, &c., useful, Crump 27,907

Legal:
Bar examination and reading in chambers
advised, Graham 29,767, 29,872

in Barrister's chambers : Advised, Scott 25,943, 25,970, 25,976-7 not Worth the expense, Chandavarkar 31,160

Call to the Bar: after Executive experience advised, with

adequate allowance, Cramp, 27,638; Batchelor, 28,771. of Little importance, Scott - 25,900, 25,913

25,931-2, 26,012-9
Examination in law similar to LLB advised, Kerusdiker - . . 28,361 (xiii) Hindu and Muhammedan law advocated Finnah, 31,786; Kelkar, 33,185-8; Madharlat,

in India, advised, Sathe Insufficient, and one year at High Court suggested, or as apprentice with Advocate General or senior member of the bar advocated,

Sathe - 33,560-1, 33,463-7 Knowledge of law and practical experience necessary, Jimah - 31,767, 31,785

Judicial Branch, P.C.S .- continued.

LEAVE—continued.

Legal—continued.	on Full pay:
Legal degree during probation advocated,	Accumulation to not more than three months at
Madhaulal	a time, suggested, Makendale - 26,523,
Madhanal - 33,226 Learning codes by keart useless, Grump,	29,567-9, 29,656-60
27.904-6; Batehelar, 28,940.	Furlough;
Necessary and suggestions, Tologarkhan 27,945	Amount allowed, and increase suggested,
Rigorous test in law after selection advised, and	Mchendale 29.521
studies prescribed for LLB, examination.	Mchendale - 29,521 Reduction not advised, Mehendale - 29,571
studies prescribed for LLB. examination, suitable. Sebuis 30,252-3	More taken owing to pressure of work, Mekendele
Special course in India advised, and details,	29,519, 29,565-6
Special course in India advised, and details, Batchelor, 28,772; Kelkar, 32,914.	Reserve, none, Mehendale 29,503
Special course in India not necessary, Chanda-	Rules:
varbar, 31,133; Bhurgri, 32,106, p. 441.	Assimilation to European service advised,
Magisterial experience useful but not sufficient,	Mehendale 29,521
and some civil law suggested, L. S. Mahta	Hardship, occasionally only, Mekendate 29,524, 29,526
27,398-401, 27,562-9	List of mosts if alterations supposed in letter of
Ordinary rules of legal interpretation do not apply to documents in mufassal, Group - 27,902-3	List of posts, if alterations proposed in letter of Mr. A. P. Macdonnell adopted p. 484-5
in Original civil cases before appellate work	List of appointments - p. 490, p. 496, p. 499
advised, Schuis 30.254	Lest of appointments - p. 490, p. 496, p. 499 Manned by Indians - p. 501
an Original judge trying original suits advised,	
Scott, 25,901, 25,914; Batchelor, 28,773, 28,824-5;	Obsanisation: Details p. 499
Chandavarkar, 31,102, 31,158.	Satisfactory, Madgarbar 30,910
Special course after examination advised, Bhurgri	
32,082, 32,105	Pat:
Special inducements to continue study required,	Adjustment, principle acceptable, if terms such as
Creap - 27,638 not Satisfactory, Júnah - 32,653-7	to secure best degree of qualifications, Melendale
	29,512
in Subordinate judicial posts:	Inadequate, and recommendations, Crump, 27,646, 27,691, 27,851-5; Taleparkhan, 27,953, 28,059;
Advised. Tuleyarkhan, 27,945; Kayandikar, 28,361; Lawrence, 30,510; Madgankar, 30,840;	Mekendale, 29,513, 29,553-64.
Chandavarkar, 31,353; Bhurgri, 32,103,	Time scale:
33,107; Kelker, 32,915.	not Advised, but if adopted, need not be restricted
not Advised, Chandanarhur 31,134	to lower grades. Mehendale 29.51.5
Subordinate posts should be filled by High Court	for Each main class of appointment advised, Mehandale 29,516-7, 29,559-64
pleaders, with 5 years' practice, and ample field	Aleksakale - 29,516-7, 29,559-64
pleaders, with 5 years' practice, and ample field of selection thus given, Jinuah 31,787, 31,906,	Travelling allowance, insufficient on transfer, &c., Mehendale 29,532, 29,575-7
31,924-7, 32,066-9	Pensions, system of extensions unsatisfactory, and
Successful judges known without executive experience, Karnadikar - 28,512-3	suggestions, Mchendale - 29,527-8, 29,673
experience, Karaudikar 28,512-3	PROBATION:
Transfer to, not advised after 10 years of revenue	3 years and not 2 advised, but reconsidered and
work, Scott - 25,900 Transfer of important posts to executive branch	increase not advised, Taleyarkhan 27,850,
referred to, Madgashar 30,838, 30,848	27,080-1, 28,015-6
terested to, management	System, Mohendale - 29,499
Judicial Branch, P.C.S.:	D
Cadre:	PRONOTION:
Addition of 10 sub-judges advised to provide for	Difficulties, but no change possible, Makeadale 29,507
officers receiving training, Mehendale 29,502,	Interacts of administration and individuals
29,548-9 Details p. 499-500	respariled n. 400
Details p. 489-500 System of fixing strength, Mehendale 29,502	Officiating advised, Mehendale - 29,514
Distern of manife out engine, agreements	Rules p. 501
CLASS REPRESENTATION:	reconciled p. 406 Officiating advised, Mchendale 29,514 Rales
Complete representation neither possible nor desirable, Crump 27,644	inadvisable, Mchendale 29,506, 29,689
Statements showing distribution of posts among	Selection to grades above Rs. 500, and system, Madganhar - 30,896, p. 466
nationalities in the Presidency proper and Sind	by Semority, and selection at Ba. 500 advised, as
in 1913 and 1887 · · p. 501-3	at present. Sathe 33.385-7
Classes of officers and appointments, no change	nt present. Sathe
advised, on certain conditions, Mekendale 29,501,	Question of popularity of, and preferred to post of
29,702-10	legal practitioner in district towns, Melendale
Comparison with Executive branch, Bluegei 32,127,	29,591-3, 29,613
32,821-5	Qualifying posts, system breaking down, and reasons, and dissatisfaction. Crump 27,923-5, 27, 330
COMBINATION OF EXECUTIVE AND JUDICIAL	
Punctions:	RECRUITMENT: Age limit, extension to 35 advised, Sathe - 33,363,
Executive officers should not have magisterial	аде пин, ещеный во со ацумен, высус - 55,505, 33,410-2, 33,485-6
powers, Tulsyarkhan, 27,951,28,019-22, 28,053-8	Annual rate, not fixed, Mchendale 29,505
Extent, Cartis, 29,023; Mehendale, 29,508; Law- renes, 30,550; Bhurgri, 32,121, 32,125, 32,218-24,	Candidate once selected should not have to revert,
32,251-86; Sathe, 33,439.	Mehendale 29,492, 29,539-43, 29,697
Division into subordinate judges and nunsifs.	Class representation :  Describle but all classes not represented and

INDEX.

Judicial Branch, I.C.S .- continued.

TRAINING-continued.

31,614-94 B 4

Desirable, but all classes not represented, and

Table - p. 406
Combined nomination and examination advised,
Melecadale - 29,495, 29,543-4

Combined nominations and examination account.

20,485, 29,485, 29,485, 19,485,

by encouraging education only way, Meheadale 29,498, 29,634-8

Eulargement and strongthening advised, and addition of criminal work, P. M. Makte. p. 300; q. 31.635-6

Improvements required, Laurence - - 30,616
Knowledge of country as a rule, in heu of executive

Change advised in Government Resolution, Nov. 19, 1912, salutary, Mehendate - 29,521

advised, Laurence .

experience, Grahma -LEAVE:

- 30.557

- 29,867-8

Judicial Branch, P.C.S.—continued. RECEDITMENT—continued.	Land Administration Code, substitution of, for Land
Details and rules p. 200-1	Revenue Code suggested, Karandikar - 28,362 (vi)
nomination, and scheme, Manganear - 50,000	Land Records, Director of: Assistant, listing of post advised, Kothari - 32.671, 32.801
P. M. Mehte, 31,455. by LL.B.'s and High Court pleaders examination advised, partly, Kelleyr - 32,965, 33,212	Superintendent, possible addition to listed posts p. 438
advised, partly, Kelbar 32,935, 33,212 Letter re p. 488-9 from Ministerial service, abolition advised, except	Superintendent's pay, suggestions re, Curtis 29,089-91
from post of Sheristadar, Crussp - 27,810-3 no Natural-born subjects other than "natives of	(see also under Agriculture.) Land Revenue:
	Assessment, separation of, from collection, advised,
Practice required, value of, Mehendals 29,716-7	- Madagatear - 30,764 (xv)
from Practising pleaders or law graduates advised, and method of nomination, Talegarkhan 27,948, 28,023-42	Building fines and assessments, examples of cases, P. M. Mohta 31,541-58 Special agricultural courts suggested for deciding
Qualifying posts:  Reduction advised, Crustp 27,842, 27,810-3  Value of, Mihandale 22,714	cases re, P. M. Mehta 31,411-6, 31,714-9  Land Revenue Act, cases under, complaints, P. M.
Recruits of good standard and calibre, Sabaia 30.317	Mchta 31,029-34
Reforms advocated, Sathe 33,363	Law:
Restriction to residents:	Broad principles and application of, in Anglo-Indian Acts, teaching of, desirable, Chandovarkar · 31,349
a Few exceptions, but preferred as a rule,	Experience re, working of Sessions Court advisable
Mekendale 29,497 Residents of other provinces, rare - p. 486	for three months, Sathe 33,360
Revised rules · · · p. 494-6	Examination with hooks advised, Kelkar 33,187-8
Rules:	Higher study, system for encouragement, not advised. Madgankar, 30,841; Chandavarkar,
Modification needed, Medendale - 29,718	31.135.
Suitable, with slight alterations, Crump - 27,642	
Satisfactory, Grump - 27,641; p. 465-6 Reserve, none, for officers under training, Mehendale 29,504	IMPROVEMENT OF PROFICIENCY: po Steps advised to improve. Crump, 27,639; Chandatarkar, 31,130.
Revisement:	Suggestions, Madhaulal - 33.249
at 55, should be rule and extension the exception,	Indian, best learned by practice, Chanderarker
Makendula - 29,528	31,348
Compulsory for inefficiency, advised, Mchendale 20,507, 29,531	Instruction in Bagland, preferred, Barron, 28,998; Batchelor. 28,769; Lawrence. 30,514; Madgather.
20,001. 20,001 Voluntary, after 20 years advised. Mehendale 29,531	30,831; Chandararkar, 31,126. Proferred. as a career, to P.O.S., P. M. Mehia
	31,490-2
SEPARATION OF EXECUTIVE AND JUDICIAL FUNCTIONS:	Study of, necessary, Madhaulal 33.284
Advocated, L. S. Mehta, 27,372, 27,412-5, 27,462.	Study of, explanation. Kelkar - 33,189-91
27,478-9; Mshewdale, 29,619-22; Madgewkar, 30,784 (xix), 30,898, 30,911; Bkurgri, 32,121,	Training at early stage not much use. Scott - 25,915  Parining by Racland baseful Lingsh 31,897-8
30,784 (xx), 30,898, 30,911; Bkargri, 32,121, 32,195, 32,218-24, 32,251-86; Kelhar, 32,929,	Training in Bugland, beneficial, Jinnah 31,897-8 tees also under Training under Judicial Branch and
33.151-6; Madhavlal, 33,328-30, 33,338-41;	under Course of study under Probation.)
Sathe, 33.439.	Lawrence, Henry Staveley, I.C.S., evidence of,
no Change desirable, Cartis - 29,023, p. 465	30,474-783
Desirable, but expensive and not necessary, and other reforms preferred, Sabais 30,256, 30,349,	Leave, I.C.S.:
30,358-64, 30,370-4, 30,456-60	Absence from country not more frequent, Curtis
Sind, list of appointments - p. 490, p. 497	29,189
Training:	All available taken, and spent in Europe, Modgarkar 30,863-1, 30,956-8
no Departmental examination, Mehendele - 29,500	ALLOWANCE:
Executive, not important, Finnah 32,034-10 Experience in exercising magistorial powers makes	Changes advised, half three years average at 1s. 4d. the rupee, Madgazkar - 30.867, 30.951-5
up for deficiency of legal knowledge. Karasdika	Maximum and minimum suitable, and at 1s. 4d, the
28,505-6	rupec advised. Madgaskar 30,868
Satisfactory, and system, but slight alteration	
ndvised and scheme. Madgaukor - 30,895 no System - p. 460	for maximum limit of 1,000L, Graham - 20,770
after Taking up appointment, course surgested	Privilege rate of exchange: Approved. Lensusee
after Taking up appointment, course suggested Mekendale 29,489, 29,545-	Concession reasonable, Curtis 29,005
(see also Judges, Subordinate.)	Amount allowed, suitable, Madgarkar - 30.804.
Judicial Commissioner:	Amount taken, information re p. 445
Increase of payadvised and rate, Madganiar 30,838 Settlement of question of method of appointmen	Annual taken, information re
advisable, Madgauker 30.850	Brank at Christman and other times. Fishers
Judicial Secretaryship, transference to judicia dopartment advised, Madgashar 30,838, 39,84 30,852, 31,015-29, 31,08	28.706
dopartment advised, Madgarbur - 30,838, 30,849	Compulsory month in year, value depends on
30,952, 31,015-22, 31,08	station. Creup 27.747 Desirable, but difficult. Barrow, 28.333-4, 28,338-9;
т.	Embank, 28,702-5; Curtis, 29,124.
Kadri, Khan Babadur Saiyed Shamsuddin, J.S.O.	Instead of accumulation, not advised, Laurence - 30,744
B.A., J.P., evidence of 29,916-30,06	
Karandikar, Raghunath Pandurang, evidence of 28.361-55	service, not approved, Sabuis, 30,271; Laurence. 30,555: Kelkar, 32,934.
Keikar, Narsinh Chintaman, evidence of 32.877-3,21	<ul> <li>Combination of all kinds up to maximum of two years</li> </ul>
Kothari, Jehangir H., evidence of - 32,656-57	suvocated, aladgatuar - 30,871
	1

-29,769

- 30.852

- 39 900

- 31.144

	_
Leave, I.C.S.—continued. on Full Pay:	Le
Accumulation:	
three months, more than, not Advised, Cartis 29,122-3, 29,190 to four months Advised, but disadvantages of	
accumulation admitted, Barrow 28,110, 28,280-7, 28,332-5	Le
28,280-7, 28,332-5 Approved, though disadvantages admitted, Barrone - 28,289-7, 29,398-7 not for Good of country, Ewbank 28,738-8	Lis
Combination with other kinds, advantages to officers p. 459	Li
Same amount taken, Barrow 28,100 Furlough: Amount allowed not excessive, Curtis - 29,126-7	Li
Amount taken - p. 459 Amount suitable, Madgavker - 30,865 Difficult to get in famine years, Keskark - 28,749	
Half at higher rate, not practicable, and objections, Curtis 29,120-1, 29,125 Less taken, and reasons, Barrow, 28,109; Cartis.	
23,004.  Deduction of amount due not admined Contin	
Usually taken, Madgankar 30,864	
FUNLOUGH ALLOWANGE: Increase advised, Cartis, 29,334; Graham, 29,774. Revision of pay, preferred to increase of, Gramp 27,743-4	
Suitable, Curtis. 29,004; Laurence, 30,532; Madaushar. 30.866.	
Improved conditions of, would increase attractions of I.O.S., Crump 17,789-72 in India, should not be discouraged, Madgastar 39,987,30,201	
in India: should not be discouraged, mangeous 30,867, 30,951 on Medical cartificate, excessive number partly due to	
on Medical certificate, excessive number partly due to restriction re furlough, Endank-28,572, 28,694-5. 28,707-10, 28,739-43, 28,757-8	
28,707-10, 28,736-43, 28,757-8  Rules: Changes proposed by Government, Cartis 28,006, 29,112, 29,457-9, p. 450  Conditions, objections, Barrow 28,111	
29,119, 29,497-9, p. 490 Conditions, objections, Barrows - 28,111 under Consideration, and some reforms necessary p. 444-5	
Furlough after four years' service advised, Graham-	
prohibition of Furlough till after eight years' service unduly severe, Eubanic 28,572, 28,661-3	
Points under consideration p. 459-61 Slight advantage to Indian civil servant to enable him to on to England not objected to. Kelkur	
Unsuitable, and scheme drafted by Government, Graham Recommendations of Decembralisation Commission	
p. 460 Special, extraordinary, &c., suitable, Madgarkar	
30,869 Tenne PCS	
Accumulation to 12 months advised, Blurgeri 32,125, 32,171-3, 32,225-8 AMOUNT TAKEN:	
ANOUNT TAKEN:  Little change, Curlis 29,031  Statement and information re p. 468  or Full pay:	
Amount due usually taken, Curtis - 29,031 Suitable, but accumulation to four months advised,	
Berross Furlough, rarely taken and reasons, but sufficient allowed, Curtis 29,032, 29,219-6 Furlough allowance not sufficient, Mahandale 29,523	
29,570-2  Long, differences between leave of I.G.S. and p. 477 no Reserve p. 465  Rours:	
not Cause of transfers, Curtis - 29,005, 29,214 Provisions pressing hardly, examples, Barron 98,194	
Separate sets, no objection, Cartis 29,007 Suitable, Cartis, 29,034, 29,036; Kelkar, 32,934. Short, on same footing as I.C.S. p. 477 Special, &c., no alterations suggested, Cartis 29,033 B 22330	

egal Remembrancer and Secretary to Government in Legal Department: Appointment should be treated as other secretaries to Government, Graham -Office useful as qualifying post for judicial service, - 27,814 Pay insufficient, Madgaskar . egislation, question of over-legislation, P. M. Mehta 31,720-4 entenant Governorship, promotion of Indians to, if suitable, advised, Aga Khan - 27,048, 27,219-23 inguits, education fund referred to, Rivington 26,925, 26,942 isted Posts: Abolition would follow scheme for recruitment of P.C.S. Judicial Branch, P. M. Mekta - 31,474-84, 31,746, p. 309 Abolition of system, and substitution of right to rise Aboliton of system, and saustatution of right to use to posts with pay of LCS, and rearrangement of P.CS, cadre, no objections, Cartis - 29,128-31 not Actually part of P.CS, Mead - 26,773-9 Admission of Indians to one of, L. S. Mohte. 27,356 AGE OF ATTAINMENT TO: promotion at earlier age, some Advantages, but less efficiency would result and present system preferred, Taleyarkhan 27,971-8 Too late in life, and younger men might be selected occasionally if care taken, Batchelor, 28,791-6; Barrow, 28,166-7. Approved, Pannajpye, 26,054; Cramp, 27,657-60; Satinis, 30,245; Kothari, 32,668; Kethar, 32,932. Approved, but widening of field of promotion through, advised, Kelber not Approved, L. S. Mehta, 27,355; Bhurgri, 32,081, 32,094-6, 32,141-51. Arrangements proposed in lieu of, Bharucha 32,331 should Belong to members of I.C.S. except in exce tional cases, Madhavial . - 33,239 no Change advised, Chandavarhar -CLASS OF POSTS: Alterations suggested, Mend, 26,853; Kudri.

29,924. Suitable, Kadri, 29,926; Sabnis, 30,247; Kothari, 32,671, 32,714, 32,794-806; Kelkar, 32,903. Complaints heard re filling of, by statutory civilians, and posts not filled by P.C.S. men up to limit laid - 30.813 down, Madgarkar down, Madgankar 30,813 Continuance of system advised, Parasipye, 26,042, 26,092-4; Aga Khan, 27,041, 27,052; Graham,

Details, Barrow 28,202, 28,231 Direct appointment to, not advised, Lauvence 30,485 Direct promotion from P.C.S. instead of, no objections, Kadri 29,963-5 no Effect in increasing attractiveness of service. Mehendale - 29,669-70 Equality with LCS., advised, Aga Khan, 27,146-9; Tulepurkhan, 27,945, 27,969-70, 27,991-3, 28,013-4;

Jinnah, 31,793, 31,796, 31,818-22. Grading in I.C.S. advised once member of P.C.S. gets permanent district, Madyantar - 30,011 Gradual withdrawal advised as officers of P.C.S. come to hold "superior" listed appointments or retire,

Bharnoha -- 32,340 Grievances re, Crump, 27,872-4; Madgavkur, 30,999-1000 Inclusion in proportion of one-third suggested for

recruitment of Indians, advised, Chandacarkar

INCREASE:

99.790-1.

Advised, and lists, L. S. Mehta, 27,357; Crump, 27,755; Taleyarlıkan, 27,944, 27,946; Graham, 29,787-8, 29,831; Kadrı, 29,925, 29,946, 29,952, 29,995-7; Laurence, 30,482-3, 30,664-5, 30,502 30,723-4; Madgavkar, 30,797, 30,816, 30,900; Bharucka, 32,421-8; Kotkari, 32,671, 32,714, 32,794-806; Kelkar, 32,903; Madhavial, 33,242. 33,288.

Advised, if simultaneous examination not adopted nor separate judiciary service, L. S. Michiu 27,357

c

Listed Posts-continued.

Repution:
Advised, Mend

26,801-14

Listed Posts-continued. INCREASE-continued.

in Hands of Executive Government, Cramp

Asun, 2018.

Premotion to higher posts from, question of postititity, but no objection, Grahams 29,834-46 Recruitment of Indians to I.O.S. only by vary of, proposed, Scients 30,278-38, 30,226 Recruitment from P.O.S. elimost excissively artised, Grang, 27,710-1, 27,735-4; Eurorene, 30,400

in Hands of Executive Governments, Ormely 27,843-	50 Advised, if simultaneous examinations introduced,
Question of, Aga Khan - 27,21 no Increase of, with increase of charges, Kelkar 32,	1_3 L. S. Mehte 27,581_4
	Revised list - p. 496
INVERIOR:	nis, Selection of executive officer for judicial post and
30 246 : Bharnehs. 32,333, 32,349, 32,3	85; sice versi objected to, Madgarkar 30,899
<ul> <li>Merging in P.C.S. approved, Mead, 26,652; Sab</li> <li>30,246; Bharacha, 32,333, 32,340, 32,3</li> <li>Kothari, 32,670, 32,302, 32,988-9; Madhan</li> </ul>	<ol> <li>sice versa objected to, Madgawkar . 30,899</li> <li>Selection in India should be in lieu of, L. S. Mehta,</li> </ol>
Reasons for, and details - p. 437-8, p. Omissions. Madaankar - 30,	484 31,101; Bharucha, 32,331. 980 Selection in India should be supplementary to Alcad.
Omnostoros mas gornas	26,639, 26,688: Barrow, 28,075; Jinnah, 31,766;
Leave, separate eules from I.C.S.:	Kethari, 32,661, 32,710; Kelhar, 32,886.
Approved, Laurence 30, not Approved, Paranjpye, 25,363; Kelkar, 32,5	536 Statement p. 453-4 23. Statement of inferiority, Salvais, 30,448-55; Jinnali,
not Approved, Parangage, 21,000; Asonar, 62,6 Letter re p. 48	<ol> <li>Sligna of intercently, Saints, 30,449-55; Jinuali,</li> <li>31,818-2.</li> </ol>
Limit nermissible, Mead 26	886
Lists, with details re holders - p. 42	WT Tare then measureded by Dublic Coming
Merging in I.C.S. advised, Kelker - 32, 32,988	or Commission, Bharucha 32,337, 32,340
Number and suggestions in lieu of, Scott 25,36	no Member of P.C.S. holding in Executive branch,
Common of Bigh Court 75 appointments 2071	sed. Bueruche
Madgarkar 30	\$2,340.
Pay:	Survival of statutory civilians, pretext for keeping
Equal to pay of LCS. advocated, Paranj	pge, P.C.S. out of, grievance re, referred to, Madgavkar 50, 997-8
26,062, 26,069, 26,175-6; Aga Khan, 27,0	50; System, and list and pay p. 471-2
L. S. Mehta, 27,308, 27,579-2; Entrends	har. Withdrawal, possible effect, Mehendale - 29,871-2
32,991, 32,933, 32,990; Kethari, 32,679; A	fad-
Equal to pay of 1.0.S. advocated, Parasignos, 28,002, 28,003, 28,175-5; Aga Mass, 27, L. S. Madda, 27,838, 27,570-2; Rarvald, 28,382 (ix); Bhugri, 32,114, 32,134; Med 22,921, 29,233, 32,909, Kalbart, 22,579; Mattel, 33,254; Snife, 33,362, 33,465.	
Extra allowance to Englishmen suggester necessary to equalize pay, Gramp, 27,60:	1, 11
Tulegarkhan, 27,946.	Madgavkar, Govind Dinanath, I.C.S., evidence of 30,784-1,000
Increase, no objections, Groban 22	,/32
Question of p. Three-quarters advised, Kadri, 29,938, 29,	484 Magisterial Service, Subordinate, recruitment in
20 024 Diameta 39 224	
Travelling allowance equal to that of I. advised, Bhurgri 33	CS. Magistarial work, arrangements for, suggested if 128 separation of judicial and executive functions carried
advised, Bhargri 32	[128] separation of judicial and executive functions carried out, Madgaskar 30,849
Two-thirds rule: Accepted, but not approved, Madgankar 30	
if not Altered, revision of nav suggested,	Pole- Magistrates:
yarkhan - 2	,946 Appointment, details and no complaints, Satke 2-3; 33,420-4
yarkhon Approved, Mead, 26,679; Cramp, 21,60 Barrose, 28,108, 28,122; Cartis, 29	2-0; 33,420-4 ,003, Argangements re magisterial work when officers in
29,023, 29,128-31.	esmp, Carus 28,146-55
not Approved, Taleyarkhan, 27,946; Kurend 28,362 (xi); Mehendale, 28,518; Jinnoh, 31	illar. Decisions binseed with view to favour of high 733, escentive officers, Sathe 33,412-4 hari, Number, Sethe 33,414-33,419
28,362 (XI); Menenade, 25,515; Jinson, 51 31,796; Bhurgri, 32,114, 32,124; Kot	hari Number, Sethe
32,679.	
Pensions:	Without executive functions, throwing open of one
Approved, Madgankar - 30,882,9	or two posts to sub-judges with magisterial experi- 1,908 ence, advocated, Mahandale 29,532, 29,650-5,
Improvement suggested, but not to exceed	two- 29.711-3
thirds of I.C.S. posts, Kadri - 29,989, 25	1,950, Magistrates, Additional, none in Bombay, Curtis
Increase advocated, Talegarkhan 27,947, 2	29,440-1
One-third of average salary of last three	volume attagramme, District;
subject to maximum of Rs. 700, Bharucha	In the Collectors and District March 1997
with Power to rise advised, or transference of	nuafe.
to P.C.S., Laurence - 30,573-81, 30,60	
Power to appoint one quarter from our	Arrangements for magisterial work by, if functions separated, proposed, Madgaskar 30,898
P.O.S.:	a Good number and recruitment, Cartis 29,442-4
Approved, Madhavisi 3	3,240 Second or third class magistrates' work could be
not Approved, Kathari, 32,889, 32,711-3; K 32,901.	dhar, done by, or by benches of, Madgardar 30,849
	10.814 Magistrates, Resident:
One only appointed	p. 437 Analgamation of post with subordinate judges advised,
not Used regularly and not advisable, Leave	Automataent of in relieve Collectors and serietrat
Preferred to other schemes for recruitment in	0.501 collectors, and remedy difficulties of touring, Bhurger 32,218-24
Batchelor, 28,789; Graham, 29,755, 29,7	84_0 Bantgri 32,218-24
Kadri, 29,918;	
	under High Court, and originates at 27
Promotion to higher posts from question of	under High Court, and grievance vs. Bhargri possi-
Promotion to higher posts from question of bility, but no objection, Graham 29,8 Recruitment of Indians to I.O.S. only by a proposal Solidary of the control	under High Court, and grievance vs. Bhargri possi-

where Necessary and powers, Gurlis

Magistrates, Sub-divisional:
Criminal powers, and work, Barrow
is also Executive officer

· 28,242 · p. 443

Magistrates, Subordinate: is also Executive officer, and powers - p. 448-4 Influence of Executive officers on decisions, no complaints, Batchelor - 28,876, 28,904-12	Military Officers—continued. RB-INTHODUCTRON: not Advised, Parantpye, 26,051; Aga Khan. 27,051; Barrow, 28,087-8; Karendiker, 28,362
Mahdavial, Sir Chinubhai, Bart, C.I.E., evidence of 33,218-350	(x); Sulmis, 30,243-4; Madgashar, 30,812; Jinnah, 31,778; Bhargri, 32,992, 32,993; Kothuri, 32,967; Madhanlal, 33,237, p. 436.
Mamlatdars: Appointments to officiate in leave vacancies useful	not Advised except in special circumstances, Kelkur 32,897-8
Correspond with lower grade of subovilinate judges,  Curtes  Ourtes  10 September 1	Kirod Commission, no longer necessary in Sombay Providency p. 4.50 Koslem League, details and policy re simultaneous examination, Jon Elma 27,202-4, 57, 257, 4–6 Mahamandanus; not Adequately represented in P. C.S., Apr Hues 57,957, 27,007, 27,293-90, 27,323-5. Arrangements proposed to sifeguard interests, Discrete. 3, 23,293, 23,303, 23,318, 23,445-5.
INCORPORATION IN P.C.S.: no Advantages, Barrow 28,336-7 Approved, Curtis, 29,108-7, 29,319-24; Madgaukar; 30,802, 30,804. in Bombay only and objections, Bharucha 32,340, 32,388	Blamels 22,29, 92,305, 72,311, 92,342–5. Chance likely to decease with competitive examinations, Aga Khan 27,309 Chances under simultaneous examination, Aga Rhos-O Community under the Agu Khan loyal, but desire for increase of Indians in LOS, Aga Khan
Judicial powers of, should be transferred to sub- ordinate judges, L. S. Mehta 27,372, 27,42-5. 24,462, 27,522-606 Men promoted from, more suitable for sedentary	27,138-40 in Favour of simultaneous examination but desire no reservation of nests. Ann. Khan 27,276-7, 27,391-5
posis and too old for sub-divisional posts, Pharmelas 92,340, 83,373, 83,301 Pay and grading. Saths 32,450 ± p. 489 Probation p. 470-80 Promotion, by selection to 1st and 2nd grades, and no change advised. Gartis 99,091	in LOS, number, Paragippe Nomination preferred for baselist of, as elocation Insolvered, Radri Some appointed to P.G.S, eithout high elocation qualifications, Relaw Very few in judicial service as very few LLB. 8: among, Relaw
status, position and pay advisable, and encourage- ment to independent expression of opinion, Madgackar 30,910, 30,989-90	Munsif, suggested as title for lower grades of sub- ordinate judge and details, Laurence - 30,557
RECRUITMENT:	N.
Rules p. 464, p. 478-9 Rules unsuitable, Kelbar p. 39.207 Roles provided and further alterntion undestrable, Barrow 28,358-00 Reduction possible, on separation of judicial and	"Natives of India" (see Indians.) Nazir, (District Court) should not be qualifying post for P.C.S. Judicial Branch, and reasons, Ormap 27,642, 27,810
Barrow 28,358-06  Reduction possible, on separation of judicial and executive functions, Madgeway 30,848, 30,898. Selection to 1st and 2nd grades, Barrow 28,120, 29,163	Nazir, (District Court) should not be qualifying post for P.O.S. Judicial Branch, and reasons, Graup 27,642, 27,810 O. Onjum Act, cases under, complaints, and separation
Barrow - Steller in control of judicial and executive functions, Madgarder 30,849, 30,898. Selection to 1st and 2nd crudes, Barrow - 25,120,	Neain, Obstrict Court a hould me he qualifying post for P.G.S. Judicial Brunch, and reasons, Orang- 27, 542, 27, 810  Opium Act, cases under, complaints, and separation of fenctions required, P. M. Mattes 31, 283-245 Oriental Languages most useful, and best obtained Colloquial knowledges most useful, and best obtained Instruction better in Euriand, Burrow, 22, 988.
Berrore 28,000 the matter attention to the section of 28,038-60.  Berrore 28,000 the machine, Madgewar 30,939,308-60.  Selection to list and land grades, Berrore 28,120,  Separation of work between remarks and, in Blannsgar, and antisincory result, L. S. Motte.  27,482-5  Status - p. 4,80	Nazir, District Court) should not be qualifying post- for P.O.S. Judicial Branch, and reasons, Creap- for P.O.S. Judicial Branch, and reasons, Creap- form Act, cases under, complaints, and separation of functions required, P. M. Males 31,029-35 Oriental Languages: Colloquial knowledge most useful, and best obtained
Bother provide in Industry and State Control of the	Neair, Obstrict Court should not be qualifying post for P.G.S. Judicial Brunch, and reasons, Orango 27, 482, 27, 810  Opium Act, cases under, complaints, and separation of femotions required, P. M. Maties 31, 283–245  Oriental Languages most useful, and best obtained Colloquial inverselyses useful, and best obtained Colloquial inverselyses useful, and best obtained Colloquial inverselyses most useful, and best obtained Districted to Detect in Engine Burrow. 22, 988.  Batchider. 28, 769: Learnine. 30, 514; Madgemater. 30, 281; Claudemater. 31, 129.  29, 292.  Bouland College advised, Cartin, 28, 593; Chandacarber, 31, 129.  31, 129.
Botherin position, and a second secon	Nezir, Olistrici Courti should not be qualifying post for P.O.S. Judicial Brunch, and reasons, Oreany 27,642, 27,810  Opium Act, cases under, complaints, and separation of fenctions required, P. M. Matha 31,629-34  Oriental Languages: Colloquial hardredge most useful, and best obtained in India, Orrients: England, Barro 22,939; Instruction better in England, Barro 22,939; Instruction better in England, Barro 22,939; Market Court School, School School, 20,543; Badighood, 20,549; Audicider, 23,659; Audic
holder province in the internal variable. See Section 1988.  Reduction possible, on seguration of judicial and executive functions. Malegories 28, 88, 89, 89, 89, 89, 89, 89, 89, 89, 8	Nezir, (District Court) should not be qualifying post for P.G.S. Judicial Brunch, and reasons, Oreasp 27,842, 27,810  Onium Act, cases under, complaints, and separation of Smotions required, P. M. Makes 31,829-34  Oriental Languages: Colloquial knowledge most useful, and best obtained in India, Orefee: 1. Brugland, Barrow. 28,988; Instruction better in Brugland, Barrow. 28,988; Instruction better in England, Barrow. 28,988; Radericker, 28,789; Launten, 20,781; Chardentwirer, 31,126.  Bartinetin Dieter in India, Crump, 97,838; Kanir, 29,928.  BULLING DECOUNACIMENT: 18, 12, 12, 12, 12, 12, 12, 12, 12, 12, 12
More and Crope James 1, 108, cridence of 25,629.  Batus of vorb letveen musical and judical and executive functions. Molegolaw 98,849, 39,884.  Selection to list and 2nd grades, Barrese 9,31,00, 38,00, 30,884.  Separation of vorb letveen musica and, in Blavragar, and astistatoray result, I. S. Malie.  Batus 4,488.  Batus 9,488.  Marshan: 9,488.  Marshan: 9,488.  Marshan: 10 and 10 off. Sharp 28,2851.  Do wall to certain point and full off. Sharp 28,2851.  Do wall to certain point and full off. Sharp 28,2851.  Marshan: 10 and 10 off. Sharp 28,2851.  Marshan: 9,488.  Marshan: 9,488.  Marshan: 9,488.  Marshan: 9,488.  Marshan: 9,589.  Marshan: 9,5	Neair, Gibtrici Court should not be qualifring post for P.U.S. Judicial Brunch, and reasons, Oreany 27,542, 27,810  Opium Act, cases under, complaints, and separation of fenctions required, P. M. Matha 31,629–34  Oriental Languages: Outcome of the control court of the control court of the latth, Oriental Languages: Outcome in Latth, Oriental Languages: Outcome in Latth, Oriental England, Barron, 20,021  Distriction 25,769; Lancuron, 30,514; Madgandar, 30,281; Chadwarder, 31,128.  Ruints for Beronical Court, 25,283; Chandearther, 31,128.  Recent revision, Kadri 2, 23,93; Chandearther, 31,128.  P. Paranjiyes, R. P. evidence of 90,034-628  Rardis Recent revision, Kadri 9, 20,034-628  Rardis Recent revision of 4,000 of 90,000 of 9
holder province in the internal resistant and security fractions of politic on seguration of judicial and executive functions, Malegorian 98,849, 939,85 per per per per per per per per per per	Neair, Cibitrici Court à should met he qualifripe post for P.U.S. Judicial Brunch, and reasons, Greup 27,642, 27,810  Opium Act, cases under, complaints, and separation of fanctions required, P. M. Matha 31,628-32  Oriental Languages: Colloquial Inswiredge most useful, and best obtained in Instit, Gurerial Languages: Colloquial Inswiredge most useful, and best obtained in Instit, Gurerial Languages: 22,968; 20,931; Lantersolan better in England, Barrow 22,968; 20,932; Calculatoraver, 31,129.  Reliants for Encountagement 1,128, 25,933; Chandearriber, 31,129.  Reconst revision, Kedri 25,933; Chandearriber, 31,129.  Reconst revision, Kedri 25,933; Chandearriber, 31,129.  Paranipye, R. P., eridence of 20,004-628  Parisi: 32,933-28  Reposteration of, Kollori 32,933-28  Reposteration of, Kollori 33,233-28  Reposteration of, Kollori 33,233-28  Reposteration of, Kollori 32,233-28  Reposteration 22,233-28  Reposteration 23,233-28  Reposteration 23,233-28  Reposteratio
Borres Committee and Committee	Neair, Cibitrici Court à sould me le qualifrique post for P.U.S. Judicial Brunch, and reasons, Graup 27, 542, 27, 810  Opium Act, cases under, complaints, and separation of fenctions required, P. M. Matha 31, 529-34  Oriental Languages: Obloquial knowledge most uneful, and best obtained in Intia, Gertler in England, Berrons 20, 2015 (Sept. 1997), 1997,

29,417-9

Rs. 1,000 after eight years inadequate, in view of increase in Berron 28,103, 28,234-30

C 2

Pay, I.C.S.—continued. EXCHANGE COMPENSATION ALLOWANCE:

Abolition: Madgavkar, 30,855-6; Kelkar, Advocated. 32,919-20.

Compensation not recommended, L. S. Mehter to Future entrants advised, Paranjage, 30,061; Agu Khan, 27,055; L. S. Melde, 27,386; Barrow, 28,106; Curtis, 29,001; Jinnak,

31,791; Bhurgri, 32,112-3. Increase of salary as compensation advised to all, Sabnis -Special "exile" allowance suggested as com

#### INCREASE:

Numasa: Advised, Aga Khau, 27,105, 27,172-6, 27,283-4; 27,311; Batchelor, 28,774; Curtis, 28,194-5, 29,254-8, 29,267, 29,271, 29,417-9.

should have been Given with later age of recruit ment. Lawrence would Increase attraction of LCS., Cruss stp 27,769–72

no Increase with increased cost of living · p. 444 of Indians, amount suitable for Europeans toe high for Indians not having adopted western standards Mead - 26,635

INTEGRAL: Difficult to keep out of debt, Cramp - 27, Increase advised if present age retained. Curtis - 27,735 29,255-7

Officers of over eight years' service not drawing more than Rs. 1,000, 1908-12 - p. 446-8 than Rs. 1.000, 1908-12 - p. 446-8 Officers of more than two, and less than eight years' service, drawing more than Rs. 1,900, statements, p. 449-50 1908-19 Outlit allowance, advised, Curtis 29,251-3 Passage money, reduction possible, but not urged 29,463-4 much. Cartis

Personal allowance, advised, temporarily, Curtis 29,081-6, 29,261, 29,309-10, 29,470-2 Proposal for no distinction in emoluments between Europeans and Indians, and 50 per cent. of Indians. expenditure should be secured to

38,361 (v) Karandikar BATES OF PAY AND GRADING: Alterations in grading advised, Borrow 28,105 Dissatisfaction with, Mead, 26,676; Garlis, 28,999, 29,080-6; Laurence, 80,528.

Pairly suitable, subject to certain alterations, Mead 26,675 Inadequate in junior ranks, Euberah 28 570

28,750 Information in App. VIII. correct with a few exceptions, p. 457; Madgankar, 30,851. Statement re rates and number of poets in each grade, 1860, 1870, 1880, 1890, 1900, 1912 p. 458

Regrading necessary, and pressure hardest on men of 12 years service, Cartis - 29,248-51 Special allowance in certain posts advised, Graham 29,771, 29,829

Sumptuary allowance advised for certain posts, Curtis - 28,999, 29,195, 29,417, 29,420-35

TIME-SCALE: Advocated, Parasipps, 26,422-7; Madgavkar, 30,848, 39,857, 30,859.

for Each main class, not advised, Madgarkar 30,860

Improvement of pay of lower grades preferred, Barrens - 28.107, 28.152-5 Berree - 22,111, 22,102-0 for Lover grades advised, and defails and reasons, Mead, 29,677-S, 26,864; Berrest, 28,103; Etchank, 28,570-1, 28,613, 28,521; Betchelor, 28,774, 28,818; Graham, 29,770-1, 29,2770-1, 29,2770-1, 20,2770-1,

Pay, I.C.S.—continued. IME-SCALE—continued

INE-SCALE—contrained.
Opposed on principle, but possibly necessary temporarily, but not advised, Curtis 29,002, 29,061-6, 29,138, 29,247, 29,259-65, 29,311-3 Uniformity, desirable, Graham, 29,769; Madgavkar, 30.854.

Written scheme subscribed to, to be handed in, and preferred to answers to questions, Mond 26,715-9

### Pay. P.C.S.:

ADJUSTMENT: Efficiency and suitability of pay to style of living chief considerations, Sabais - 30,268 Principle accepted. Cartis, 29,025; Madgawar, 30,902; Kelkar, 32,231; Madhaslel, 33,261.

Principle generally satisfactory, but adjustment of pay to enable officer to meet English colleagues on equal terms advised. Laurence more Appointments in higher grades required and

raising of and maximum to Rs. 1,000, Laurence House allowance, rise in pay preferred to. Aga Khan 27.174-5

#### INCREASE:

to Rs. 200 within two years rare, Taleyarkhan 28,017-8

Advised, Agu Khan, 27,058, 27,100-2; Laurence, 30,482-3. Half or \$ pay of LCS, men of same year advocated,

or less would be accepted, Paranipys 26,068, 26,113-20, 26,173-4 for Residents in towns advised, Aga Khau 27,105, 27,172-6, 27,283-4

#### INITIAL:

Bs 400, for deputy collector and subordinate judge, Bhuyri - 32,123
Inadequate, Mehendale, 29,615-6; Madgavkar, 30,895.

Rate of, and progress, Cartis 29,326-7 not Less than other departments, desirable, Madhaval

33,962, 33,329, 33,343-6 Liberal amount advocated, and reasons, and 1 and 2 of pay of I.C. Servants of same year, Pannapye 26,067, 26,421-7, 26,607-27

Rates of pay and number of grades, 1890, 1900, 1912, statement p. 467 Regrading advised, Kadri, 29,948, 29,975-6; Sabnis. 30,264, 30,269, 30,312-6; Kelkar, 33,211.

Satisfactory, L. S. Mehta, 27,374, 27,416-8, 27,607-8; Bharucha, 32,338; Kelkar, 32,932.

Described, 32,305; Asiar, 32,002; Lourence, 30,553; Junah, 31,795, 31,797, 32,044-5, 32,070-2; Bhurgri, 32,123. Suggestions, Kethari - 32,679

# THE-SCALE:

Advocated, Paranjpye, 26,422-7, 16,619-21; Sabais, 30,265, 30,272, 30,315. not Advocated, Barrow, 28,121; Curtis, 29,028.

not Advocated, Burrow, 2012. Travelling allowance, 1st class, advised, Bhurgri 22 128

#### Pensions, LC.S.:

1.900f., retention advised, Cramp, 27,739-40; Curtis, 29,006, 29,116-8; Graham, 29,815; Madganlar, 30.878

### 4 Per Cent. Deduction :

Far Oast: Dabbo-(1988)

Payment into Provident Fund suggested, Barron,
28,113, 28,184-8, 23,203-8, 28,315-29, Cortia,
29,104, 29,008, 29,116-8, 29,164-6, 29,272-9;
Graham, 29,778, 29,514-7, 29,557-9; Lauronce,
20,528, 30,519-21, 30,651-8; Mond, p. 525.

More favourable terms proposed, Mand. p. 525.

#### EQUAL ANNUITIES:

Setisfactory, Madgarkar Satisfactory, but some would prefer differentiation Barreer -- 28 119 Non-contributory, varying with salary, not advised Madgankar - 80.874

#### PROPORTIONATE:

After 15 and 20 years' service, Laurence, 30,525; Modgankar, 30,875. to 1,9901., sdvised, and scheme, Mead - p. 525

Probation, I.C.S.—continued.
Course of Study—continued.

Administrative subjects, advised, and suggestions,

549

Didex.

Ponsions, I.C.S .- confinued.

Ranuogn: for Ill-health or family considerations advocated, no recourses of control of SA 681

Bedonk - 28,573, 28,620-31, 28,681	Keling 32,906
for Inclicioney, advised, and rate, Barreso, 28,115 :	no Alteration advised, Chanderarker 31,121
Rubank, 28,573; Cartin, 29,009, 29,037, 29,331-2,	Compulsory subjects, list, Madgardar 30,826
p. 415. for Voluntary retirement at 15 years, advised, Laurence 20,537, 20,590	Course advised, Kellur
Laurence 30,527, 30,599	Differentiation between Indians and other natural-
Rules:	horn subjects;
Approximation to Military Rules in Indian	not Novessary, Mead, 26,666; L. S. Mehta, 27,361; Madgavkar, 30,831; Chaudararkar, 31,128; Bhargri, 32,691; Kothari, 32,674;
Medical Service, or P.W.D. suggested, Mad-	31,128; Blurgri, 32,099; Kofhari, 32,674;
gentar - 30.875	Action, 32,507.
	Only if simultaneous examinations instituted,
SPECIAL:	and to small extent. Permajpy: 26,006-7, 26,100-3
extension to high Executive officers, not advised.	Vermuniar should not be mother tongue, only
Madgaviar  30,877 after Three years' service in Commissioners' grade,	difference necessary 11 - 131
1,100f. suggested, Barrow 28,114	difference necessary p. 139 Differentiation between Indians of mixed and un-
Varying with salary, not advised, Cartis 29,608	Advocated, Pannejpye - 26,000
Pensions, P.C.S.: After 25 years' service. advised, Kathuri - 32,883	Advocated, Pannejpye 26,080 not Necessary, Mend. 26,672; L. S. Mehla. 27,365; Salatis, 30,257; Laurence, 30,250;
After 25 years' service, advised, Katheri . 32,383	Madgaskar, 30,844; Jinnah, 31,790; Bhuryri,
on Compulsory retirement varying, with Ra. 3,500 as minimum, advised, Madgenkar - 30,507	32,110; Kelkar, 32,917; Medharial, 33,252.
Runvenn:	Bostotuics, advised, Madgaster . 30,856 7
for 20 or 25 years' service, telvised, Letterence	Boonomies and bankkeeping and history instead of
30,549, 30,556	understions, anggested, Cartis - 28,983
for Inefficiency, subject. Mulmodule, \$9.529, \$9.531	Indians recreited in India, Paraxiese 26.056.
Uncestion of 15, 465	Hosours commination and degree seried for Indicas recreited in India, Paraxippe 26,056, 26,407-11
Rules - p. 477 Satisfactory, Madgrokar - 30,906	Indian geography:
not Satisfactory, Blurgri - 32,126	Advised, Betcheler. 28,767; Lentrence, 30,501;
Police Commissioner, addition to schedule, advised,	Marganiar, 30,826 7; Chaudensilver, 31,122,
Sobris 30,339, 30,375-81	р. 439.
Pelice, Deputy Inspector-General of, objections to	not Advised, Barrow, 28,095; Curlis, 28,967; Graham, 29,765.
ereation of past, Madynakar 30,784 (xvi)	Combination with history suggested, Mend
	26,662
Police, Inspector-General of: Addition to schedule advised, Sakaia - 30,239.	Indian History :
31,373-81	Advised, Curlis, 28,983; Madagrelar, 30,826-7.
Office never held by member of Judicial Beauch.	p. 439,
Madgewkur 30,852, 31,033-5	Transferance to I.C.S. examination advised, Kellor 32,892, 32,906
Police Service, simultaneous examinations advised.	Wellor 32,892, 32,906 Indian language Classical:
Aga Khan 27,038	Indian language, Classical: Advised, Kelker 32,906, p. 433 not Advised, Cheudeverker 31,308-10
Political Department:	not Advised, Chaudevarker - 31,305-10
Posts filled from Executive branch, Madgastur	
	Languages:
30.853, 31.923-30	Languages: Colloquial instruction advised. Kndri 20,928
30.853, 31.923-30	Collegual instruction advised Kndri 20,928 Grammur and text-books with collegual instruc-
30,852, 31,923-30 Two methods of recruitment, stigms of inferiority, inevitable but not serious, Cartis 29,296, 20,200-6	Collegual instruction advised Kndri 29,928 Grammer and text-books with colleguin instruc- tion in Hindustani and vermentar remarks.
Two methods of recruitment, signms of inferiority, inevitable but not sorious, Cartis 29,29, 20,292-9  70	Colleguial instruction obvioud Kndri 29,928 Guannur and text-books with colleguial instruc- tion in Hindustani and vermonaber required, advised, Horzow 28,005 Granmar and text-books sufficient, Mond 29,662
Two methods of recruitment, stigms of inferiority, inevitable but not sorious, Cartis 29,99, 31,994-9  10 ("1", men passing through and rank equally with expire the stigms of the stigm	Colleguial instruction advised Radari 29,928 Granmur and text-books with colloquial instruc- tion in Hindusham and verments required, advised, Incress - 28,005 Granmur and text-books sufficient, Mend 29,662 Hindusham compulsory, advised, Hindusham
Two mothods of recruitment, stigms of informity, inevitable but not sorious, Caria 29,200, 20,200-59, one passing through and make opportunity of the configuration of the config	Colleguiai instruction salvised Kodri 20,928 Grammur and text-blook with celloquial instru- tion in Hudashani and vermentar required, advised, Revense — 20,906 Grammar and text books sufficient, Most 29,662 Hindustani computacy, advised, Reveyor 22,068
Two mothods of recruitment, stigms of informity, inevitable but not sorious, Caria 29,200, 20,200-59, one passing through and make opportunity of the configuration of the config	Colloquial instructions obvioud Rodri 20,928 Grammur and text-books with colloquial instruc- tion in Hudushani and vermonlar required, advised, Rurense - 20,005 Grammur and text books sufficient, Most 25,602 Hudushani advised, and some colloquial instruc- 20,008 Hudushani, advised, and some colloquial instruc-
Two mothods of recruitment, stigms of informity, inevitable but not sorious, Caria 29,200, 20,200-59, one passing through and make opportunity of the configuration of the config	Colloquial instructions obvioud Rodri 20,928 Grammur and text-books with colloquial instruc- tion in Hudushani and vermonlar required, advised, Rurense - 20,005 Grammur and text books sufficient, Most 25,602 Hudushani advised, and some colloquial instruc- 20,008 Hudushani, advised, and some colloquial instruc-
Two methods of recruitment, stigmen of inferiority, inevitable but not sorious, Caria: 29,200, 20,208-8  The methods of recruitment, Saria: 29,200, 20,208-8  The methods of recruitment and the methods and the methods are considered as a series of the methods of	Collegial instruction solvined Knobr. 29,928 Grantoux and tot-baylow kills (Colopian) instruc- tion in Hindustain and veramedur required, advised, Barrows 29,005 Grantoux and text books sufficient, Morel 29,002 Hindustain, advised, and some collequial instruc- tion, Gradera 29,761 India laurances advised. Laurance 29,761 India laurances advised. Laurance 29,761 India laurances advised. Laurance 29,761
Two methods of recruitment, filippen of admirability, invariable but not serious, forter 20'20', 50'20'-20'-20', 50'20'-20'-20'-20'-20'-20'-20'-20'-20'-20	Celloqual inducedon advised Fadri "20252 Gammur and Archalous Valle Celloquil induce- tion in Hashatian and consociator required, Grammur and text book sufficient. Meet 29,062 Historican computery, africad, Marryo 22,008 Historican computery, africad, Marryo 24,008 Historican computery, africad, Marryo 102,008 Historican computery, africad, Marryo 102,008 Historican computery, africad, Jacobson, 2016, Marryo Marryo (2017), Consonantor (112), Marryo (2017), Christonico (112), Ma
Two methods of recruitment, feligme of adirectivity, inectically last not serious, 0,000 and officially, inectically last not serious, 0,000 and 10,000 an	Colloqual inducedan advised Fadri 20,028 Gantonia and bet-books with colloquid inducen- tion in Hindustani and commodire reperied, advised, Farrasa 20,000 Gantaniar and lext books subicant, Morel 3,000 Hindustani companiony, attived, Mary 20,000 Hindustani colvined, and assue colloquist instruc- tion, Gradean 20,000 Indian languages advised, Lancoure, 50,440 Medigenter, 30,007, Condumentum Lindustani Medigenter, 50,007, Condumentum Lindustani Lindus and Condumentum Lindustania Condumentum Lindustania Medigenter, 50,007, Condumentum Lindustania Lindustania Condumentum Lindustania Lindustania Condumentum Lindustania Lindustania Condumentum Lindustania Lindustania Condumentum Lindustania Lindustania Condumentum Lindustania Lindustania Condumentum Lindustania Lindusta
Two methods of recruitment, feligme of adirectivity, inectically last not serious, 0,000 and officially, inectically last not serious, 0,000 and 10,000 an	Celloqual inducedon advised Fadri "20252 Gammar and techslow with celloqual induce- tion in Haddenian and vermentier required, Grammar and text books sufficient. Most 29,062 Hindustani compulsory, africad, Marago 24,008 Hindustani compulsory, africad, Marago 24,008 Hindustani, advised, and sone colloquial instru- tion, Gerden Most and Compulsory, africad, Lancower, 301,000 Moligadary, 200557, Chromotophys. 112,22, Moligadary, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 112,22, Lancow, 200557, Chromotophys. 200557, 200557, 200557, Lancow, 200557, 200557, 200557, 200557, 200557, Lancow, 200557, 200557, 200557, 200557, 200557, 200557, Lancow, 200557, 200557, 200557, 200557, 200557, 200557, 200557, Lancow, 200557
Two methods of recruitment, feligme of adirectivity, inectically last not serious, 0,000 and officially, inectically last not serious, 0,000 and 10,000 an	Celloqual indexedon advised Tederi - 2025; Ganzone and Leck-look with cellocity linderse- ferior and the Cellopus and Cellopus Indexe- nderical, Berran - dest look assilicati, Marsey 2026; Hindrickai compalency, drived, Marsey 2026; Hindrickai chiefed and non-collopus linderse- tion, Graham index and consequence of the Indian Inguiges advised, Lecenous, 2014(0), Molqualer, 2025; Glondonstein, 31122. Othy on Indian Inguiges advised, and Heider- tian suggested, Defit 2 SSS, 2025, 2024.
Two methods of recruitmus, feligme of admirability, inevitable but not serious, Oraci 572-59, 31362-3-39, 100-3-39, 100-3-39, 100-3-40,	Celloqual inducedon advised findri "20,526 Garanton and Act-baoks with celloquid inducedon advised findri and the Celloquid inducedon and communities (20,000 Garanton and their book sufficient, Marchyl 19,000 Hindrodani advised, Mercylo 20,000 Hindrodani advised, and some colloquid instruction, Gerfann and Salvad, Lorenzo 20,000 Hindrodani advised, and some colloquid instruction, Gerfann and Celloquid and Salvad, Lorenzo 20,000 Hindrodani advised, Lorenzo 20,000 Hindrodani and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Hindrodani and Celloquid and Act and Celloquid and Act and Celloquid and Celloquid and Act and Celloquid and Celloquid and Act and Celloquid and Celloquid and Celloquid and Act and Celloquid a
Two methods of recruitment, silgens of admirability, invariable but not sevious, Oracia 2020, 3,0263–30, 1003–1004, invariable but not sevious, Oracia 2020, 3,0264–1004, 1003–1	Colloqual inducedom advised Faderi — 20,028 Genomera und techolopo white Gelegial instruc- tion in Hisolotinia and vermentire repired, self-red, Brenz bette and vermentire repired, self-red, Brenz be observablenti. Most 25,068 Hisolotinia advised, mis-sone orderpini instru- tion, Gerobas and sone orderpini instru- tion, Gerobas 20,075; Genomera 31,122 Orly one Indian languages advised, Instruct. 31,142 Orly one Indian language advised, and Hisolo- tian inaggable (I-de'l 20,288, 20,388, 20,388) One retreated or device and the collection of the Col
Two methods of recruitment, figure at distribution, incitable but not sortons, forting and distribution, incitable but not sortons, forting 572-58, 512-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-52-52-52-52-52-52-52-52-52-52-52	Celloqual inducedon advised fields 1 2025 Caranton and Acto-book with celloquial induce- tion in Haddestin and commonities to the Com- tion in Haddestin and commonities to the Com- Greenmer and they look as affecting, Marryin 20,008 Hindradestin compellency, delvised, Marryin 20,008 Hindradestin compellency, delvised, Marryin 20,008 Hindradestin compellency, delvised, Marryin 20,008 Hindradestin compellency of the Com- Marrying and the Com- Marrying and the Com- Marrying and the Com- Marrying and the Com- Marrying and the Com- Marrying and the Com- Segreeting, Comp. 2, 10,000 Segreeting, Comp. 2, 1
Two methods of recruitment, figure at distribution, incitable but not sortons, forting and distribution, incitable but not sortons, forting 572-58, 512-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-52-52-52-52-52-52-52-52-52-52-52	Celloqual indexedent advised Fadri — 20,925 Genemer and tech-book with celloquid indexen- tion in Haddestini and vermentier respired, Genemer and text book sufficient, Mart 25,065 Haddestani compulsory, aftivied, Marryei 24,088 Hindustani, advised, mile sone celloquini instru- tion, Gerdent advised, mile sone celloquini instru- tion, Gerdent advised, James one celloquini instru- tion, Gerdent advised, James one 20,161 Indian languages advised, James one, 20,161 Meigheathy, 20,975; Cheelmanner, 31,122 Othy one Institut in Agong advised, and Hindus- Chee vermental advised and September 25, 705 Suggestions, Devuy 7, 20, 20, 20, 20, 20, 20, 20 Suggestions, Devuy 7, 20, 20, 20, 20, 20, 20, 20, 20, 20, 20
Two methods of recruitment, figure at distribution, incitable but not sortons, forting and distribution, incitable but not sortons, forting 572-58, 512-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-52-52-52-52-52-52-52-52-52-52-52	Celloqual inducedon abised fields 1 2025 Caranters and technology with celloquial induces- tion in Hashatian and communic requirements from the Hashatian and communic requirements Genemans and heat book sufficient. Meet 29,002 Hinduckani compalency, advised, Merzyri 22,008 Hinduckani advised, and assoc colloquia instru- tion, Gredena 2020, 100 and 2020, 100 Linguis 2020, 100 and 2020, 100 and 2020, 100 Linguis 2020, 100 and 2020, 100 and Hubis- tain suggested and Linguis and Linguis Linguis 2020, 100 and 2020, 100 and Hubis- tain suggested (Linguis 2020), 2020, 2020, 100 Suggestion, Crossy 2, 100 Technique of created with sequent attention to Compani instruction, fortidates and communication, 1, 100 and 100 for below recreated by simultaneous examina- tion, Linkus law, and riding, Persaging 20,008
Two methods of recruitment, figure at distribution, incitable but not sortons, forting and distribution, incitable but not sortons, forting 572-58, 512-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-59, 512-52-52-52-52-52-52-52-52-52-52-52-52-52	Celloqual inducedon advised Tachri . 20,928 Ganzone and Leck-book with cellopal inducedon advised Tachris. Per Cellopal Inducedon Commission and Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Inducedo Inducedon Inducedo Induc
Two methods of recruitment, filipses of adjustedly, invariable but not sortons, Osteria 20,205, 20,205–20, 10,000–20, 10,	Celloqual inducedon advised Tachri . 20,928 Ganzone and Leck-book with cellopal inducedon advised Tachris. Per Cellopal Inducedon Commission and Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Cellopal Inducedon Inducedo Inducedon Inducedo Induc
Two methods of recruitment, silgens of admirability, inevitable but not sevious, Outer 20'20', 50'20'-20'-20'-20'-20'-20'-20'-20'-20'-20	Celloqual inducedon advised Faderi **2025* Caranters and techslows white electronic interaction in Haddeninia and vermentiar respirate, from in Haddeninia and vermentiar respirate, Grammer and two looks sufficient. Most *29,062 Hindredsani compulsory, africad, Marrayo *24,008 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *20,062 Hindredsani compulsory, africad, Marrayo *20,063 Hindredsani compulsory *20,063 Hindredsani *20,063 Hindredsa
Two methods of recruitment, silgens of admirability, inevitable but not sevious, Outer 20'20', 50'20'-20'-20'-20'-20'-20'-20'-20'-20'-20	Celloqual inducedon advised fields 1 **20.52 Genomes and tech-looks with celloqual inducedon advised fields 1 **20.52 Genomes and tech-looks with celloqual inducedon advised, Revised fields fire and the tools as affected, Revised fields fire advised, Revised fields fields fields field fields field fields field fields field fields
Two methods of recruitment, silgens of admirability, inevitable but not sevious, Outer 20'20', 50'20'-20'-20'-20'-20'-20'-20'-20'-20'-20	Celloqual inducedon advised Faderi **2025* Caranters and techslows white electronic interaction in Haddeninia and vermentiar respirate, from in Haddeninia and vermentiar respirate, Grammer and two looks sufficient. Most *29,062 Hindredsani compulsory, africad, Marrayo *24,008 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *29,061 Hindredsani compulsory, africad, Marrayo *20,062 Hindredsani compulsory, africad, Marrayo *20,063 Hindredsani compulsory *20,063 Hindredsani *20,063 Hindredsa
Two methods of recruitment, silgens of admirability, investibable of recruitment, silgens of admirability, investibable but not sortons, Outris 2020, 5,0263–6, 12, 12, 12, 12, 12, 12, 12, 12, 12, 12	Celloqual indexection advised Radio! "20252 Genemora and technologo with celloqual indexec- tion of the Committee of the Comm
Two methods of recruitment, silgens of admirability, inevitable but not sevious, Outer 5720, 51203-5120, inevitable but not sevious, Outer 5720, 51203-61203	Celloqual inducedon advised Facht 19928 Genomera and Archelooks with celloqual inducedon and the Collogue of the Celloqual inducedon and the Celloqual Inducedon and Celloqual Inducedon and Celloqual Inducedon and Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Celloqual Inducedon Inducedon Celloqual Inducedon Inducedor Inducedon Ind
Two methods of recruitment, filipsen of admirability, invariable but not sortum, fourth 2018/0, 5028-6.  For a contract of the	Celloqual inducedon advised Fader 199282 Genemora and techslows white General inducedon in Headaction and versionists required from a Headaction and versionists required for the Headaction and versionists required formation and text book sufficient. Most 19862 Hinduction and the Headaction of Headaction of Technology (1994) Hinduction and control of Headaction (1994) Hinduction and control of Headaction (1994) Hinduction and the Headaction of Headaction in the Headaction of Headaction in the H
Two methods of recruitment, silgens of admirability, invariable but not sevine, Outer 20120, 51252–51352, and the control of t	Celloqual inducedon advised Fader 1 20,025 Genomes and technology with celloqual induces from a Handstein and vermentier required, Genomes and text bodes sufficient. Most 20,025 Hindustani compalency, advised, Marager 22,038 Hindustani compalency, advised, Marager 22,038 Hindustani compalency, advised, Marager 22,038 Hindustani compalency, advised, Marager 23,031 Indian languages advised, Lorence, 20,161 Indian languages advised, Lorence, 20,000 Lorence and Languages advised, Lorence, 20,000 Lorence and Languages advised, Lorence 23,007 Lorence and Languages advised, Lorence 25,007 Lorence and Languages advised and Hindustania Suggestions, Creap 25,007 Proceedings of recommender with special advised to the college of
Two methods of recruitment, filipses of adjustedly, invariable but not sortons, Outer 5729, 51252–5170, invariable but not sortons, Outer 5729, 51252–5170, 51252–	Celloqual inducedon advised fields 1 20252 Genemics and Activolvo vide (Celloquia) inducedon advised fields and communities and communities and communities and communities and communities and communities and communities and communities and communities and communities and communities and communities. Genetical and communities and communities and communities. Communities and communities and communities and communities and communities. Communities and communiti
Two methods of recruitment, silgens of admirability, invariable but not sevious, Outer 20'20', 50'20'-20'-20'-20'-20'-20'-20'-20'-20'-20	Celloqual indurctions abived Radio 19928.  Celloqual indurctions and versionals required.  Genomers and technologic with celloqual indurca- tion in Madastain and versionals required.  Genomers and text books sufficient. Read 19982.  Hindustain compalency, advised, Marryic  20,008.  Hindustain advised, non-one colloquisi instru- tion, Grothers advised, Leonovox, 30,000.  Indian languages advised, Leonovox, 30,000.  Indian languages advised, Leonovox, 30,000.  Indian languages advised, Leonovox, 30,000.  John with a languages advised, Leonovox, 30,000.  Singgestion, Group  25,003.  Singgestion, Group  25,003.  Singgestion, Group  25,003.  Read and the state of the state of the state of the colloquial instruction, British and the state of the colloquial instruction, British and Talling, Persupper 20,008.  Law  Martin Comment of the state of

Probation, I.C.S .- continued. COURSE OF STUDY-continued.

Law-continued. au-common.
Elements of general jurisprudonce, direct
acquaintance with modeling judicial procedure and fair knowledge of more important
bodies of positivo law in British India,
advised p. 439

Hindu and Muhammadan law advised, Graham, 29,764; Bhurgri, 32,095. Honours degree in law advised, and Indian

28,983 codes and law advised, Curtis 28,987, 29,300-4 p. 438-9

Inadequate imacejuste
Indien Law in addition to jurisprudence advisable, Mad, 26,022; Barreno, 28,095;
Batakalor, 29,767; Leurence, 30,510; Madgarkor, 30,827; (haudearker, 31,122.
Omission of Code of Criminal Procedure and

Evidence Act advised, Ewtanh - 28,567 as Principal course advised, Curtis -28,983 28,994, 29,802-4

Sufficient, Graham -- 29,883 Suggestions, Madkaslal -33,280-1 of Little practical use, Ewbank 28,566, 28,599-602 Modification to suit probation in India advised - p. 440 and suggestions Optional subjects list, Madgawkar Oriental studies, advisable, Aga Khan 27,183-94

Political Economy: Advocated, Barrow, 28,095; Batchelor, 28,767; Laurence, 30,511; Chandavarkar, 31,122. Advocated if without detriment to legal studies,

Cartie - 29.987 Doubtful - p. 439 Political History under Mutiny and Land Revenue Systems, advised as optional subjects, *Mobinit*: 28,567, 28,659-60, 28,664-5

Present course suitable, Mead, 26,661; L. S. Mehta, 27,360, 27,480-2; Madgackar, 30,926.
Principle hald down by Lord Macaulay's Com-

mittee in 1854: 26,660; Lawrence, 30,509;

Approved, Mead, 28,660; Lawrence, 30,509; Madgauker, 30,825; Chaudasarkar, 31,120. not Accepted if special studies exclude other considerations, Cremp considerations, cromp Specialised Indian training, only small amount 29.301-2 advised, Curtis

Vernaeniars, colloquial instruction in England of little value - p. 439 Courses considered, and normal university course at

residential university advised if alterations re recruitment adopted, and scheme p. 507-9 efects, Kelkar - 32.878 Defects, Kelkar .

Abolition suggested, if candidates taken who have gone through university course, Cramp 27,618, 27,626-7, 27,632, 27,664-7, 27,742-9, 27,798 Advocated, Mead, 26,668; Barrow, 28,096, 28,100; Batchelor, 28,768; Mehendale, 29,677-86 Batchelor, 28,768; Mehendale, 20,077-00; Lawrence, 30,505; Madgawar, 30,818, 30,828; Chandavarhar, 31,123; Kellar, 32,908. Advocated for successful candidates in simul-

Advocated for successful californesses it is an automates examinations, and two years, P. M. Matta p. 308, q. 31,378 not Advised, if present system retained p. 482–3 not Advocated, unless age reduced, Cartis 28,986, 29,988, 29,305

at Approved University: Advocated, and reasons, Elobank,

Madgavkar, 30,820, 30,823; Chandavarkar, 31,118; P. M. Mehta, 31,407; Bhurgri, 32,140. if Age limit reduced to school-leaving age

if Age limit reduced to school-leaving age, advised, Cramp. 27,673-4
ab One university suggested, Mead, 36,687
28,742-4; Barron, 28,992-3, 28,218-23, 28,23-21; Cartin, 28,983, 29,967-70.
Oxford or Cambridge preferred, Graham, 29,7692; Mead, 26,687, 26,742-4
Table 20,7692; Mead, 26,7692; Mead, 26,7692; Mead, 26,7692
Table 20,7692
Table

20,702; Mead, 20,007, 20,742-2.
at Residential University advised, Mead, 26,650-7, 26,742-64, 26,824-30; Orump, 97,628; Graham, 29,758, 26,762, 29,848-51, 22,857-906, p. 440. in Separate Colleges, advantages, Curtis 29,481

Probation, I.C.S .- continued. IN ENGLAND-continued.

Combined period of probation and training in India possibly preferable, Mond - 25,816-8 Continuance of system advocated, Mead . 26.654

for Indiana Indiants
 Advised, Faranjapa, 96,055, 26,284; Karundikar,
 28,361 (12); Kadri, 29,919, 29,927, 29,939,
 29,968; Michaelda, 20,499, Sabnis, 39,256
 Magaseker, 30,582-3; Chandasarskar, 31,127; Vienab, 31,769, 31,782, 31,198-3, 31,971
 Rempi, 32,196, 30,109, 21,38, 32,182
 23,155, Barracke 32,399, 32,349; Surgass, 23,155
 Rempi, 32,169, 32,149, 32,199, 32,159
 25,591; Kalbert, 32,842-7, 32,905, 33,153
 Levilley, 32,199, 32,199, 32,199

Madhavlal, 33,220, 33,244; Sathe, 33,354, 33,467.

at Approved University, but not all at same College, advised, Batchelor, 28,801-7; Lawrence, 30,479.

Longer, advised, Mead -- 26,631, 26,703-4 for Judicial branch, advised, Jinnah 31,782, 31,916 Proferred, Eubank, 28,716-20; Batchelor, 28,816. Separate institution, not advocated, Mond. 26,659; Crusp, 27,630, 27,727-8; Barrow, 23,218-23, 28,329-31; Cavits, 23,935, 29,071; Lawrence, 30,508; Madgavkar, 30,824; Chandavarkar, 31,119; Bombay Government; p. 440 (para. 54),

p. 508. Training institution, residential advised, and university preferred, L. S. Mehta - 27,362, 27,406-7, 27,447-53, 27,473-6

in England or India, depends on age limit p. 439 for Europeans: One year in England and one at college in India

and towns advised, Aga Khan Two years in India suggested, Aga Khon 27,226-8 Final authority to reject candidate, retention advised, Madgavkar

FINAL EXAMINATION: Syllabus, land revenue system advised, L. S. Mehta

not Taken very seriously, Mend 26,729-34 IN INDIA:

JADIA: Advised, Paranjpus, 26,108-12; Aga Khan, 27,226-8; Cremp, 27,633, 27,667, 27,672, 27,798; Karandikar, 28,361 (xii) (xiii). Advised, unless age reduced, Cartis - 28,988

Advised, and adaptation of methods and alteration of same to training course p. 440-1 not Advocated. Mead 26.665 26,665 Arrangements by Provincial Governments: Advised, Karandikar, 28,362 (viii); Kadri,

Advisod, Karandikar, 28,362 (viii); Kadri, 29,931, 29,969; Lausronce, 30,518. not Advised, L. S. Mohta, 27,363; Cramp, 27,635; Cartis, 28,990; Madgawar, 30,830; Chandasorber, 31,125; Bhurgri, 32,102;

Kelkar, 33.910.

in Collector's office, and on tour with Collector or assistant, and then in central college, Ewbank 28 609...19

special College:

vanne system desimble, Krinak 11,789-02; Fr. Europeane, advised, Aga Khan, 27,120-2, 27,226-8; Kadri, 29,919, 29,927, 20,929, 20,988, Bhargri, 32,109, 32,152; Madhaelal, 33,244, 33,334-7.

for Executive branch, advised for Europeans, Jianah 31,779, 31,782, 31,822, 31,916-8
Indian professors only advocated, Pannipge 26,058, 35,123-200

Near some of future activities advised, Mad-harlal 33.954

One year if age 22-24, Laurence One year if ago 22-24, Laurence
One year at Oxford and Cambridge, and one year
travelling in Europe or America, Aga Khan
27,953, 27,118, 27,224-5

IN INDIA—continued.	Promotion, I.C.S.—continued.
at Same colleges as Europeans advised, Mead	Recruitment on present principle advised but definition of superior posts should be changed to
26,705	include none lower than Collectors and District
Three years advised Laurence - 30,525	Judge, Graham 29,772, 29,808-9
Two years in addition to one year in Rugland advised, Kollari - 32,673, 33,675, 32,719-21	by Selection, not advised before grade of Collector,
	Curtis
Period:	Promotion, P.C.S.:
<ol> <li>year advised, Parmippe, 26,056, 26,101;</li> <li>26,106-12, Mead, 26,655, 26,706-14, 26,728-80,</li> <li>26,550-5; Ewbank, 28,566, 28,599-605; Graham,</li> </ol>	Grade, in leave vacancies advised, but not pressed if
26.850-5: Eubanh, 28.566, 28.599-605: Graham.	par improved, Curtis - 29.027, 29.102-4
29,759-60, 29,846; Kadri, 26,106-12, 28,401, 29,919; Sabris, 30,250; Chandavarkar, 31,117.	to Grade of Rs. 300 too slow, Madgankar 30,895
29,919; Sabnis, 30,250; Chandavarkar, 31,117.	to Grades of Rs. 500 and over question of method.  Mekendale - 29,491
I year or more, according to age limit, Burrow 28,090-1	Hopes of recruits re, on creation of P.C.S., Bharacha
1 to 2 years advised. Mehandale, 29,490; Mad-	32.450-6
gaskar, 30,818-9; Blungri, 32,139.	by Local Government approved, Madgankar 30,271
2 years:	Letter re p. 480 Officiating advised, Bharucha 32,339, 32,410-4
Advised, L. S. Mehta, 27,380, 27,406, 27,480;	of Older men, particulars re Mandatdars, Bharucha
Adrised, L. S. Melta, 27,380, 27,486, 27,480; Batchetor. 28,815; Kadri, 29,919, 29,927; Jirrah, 31,762. 31,729, 31,781. 31,910;	32,514-92
Bharnaha 32 220 32 310, Bharnai 32 602	Revised rules p. 496
Bharucha. 32,330, 32,340; Bhurgri, 32,098. 32,109; Kothari, 32,673, 32,715; Kelkar,	by Selection to Rs. 500 and above, and system,
32,906, p. 440.	Madgavkar. 30,896; Bharucha, 32,516-9, p. 465. by Selection and seniority, Barrow - 28,163
if Age reduced. Laurence. 30,504, 30,511;	by Seniority to posts under Rs. 500 - p. 465
Madgankar, 30,825, p. 439. for Candidates recruited in India by simul-	by Seniority combined with efficiency advocated,
taneous examination, Paranjpye 26,056,	R 60507 32,33a
26,159-60. 26,401-6	Slow, Bharucha
in England, not advised, but more use in India.	Provident Fund, General, compulsory subscription to,
Biobauli 28,607	or life insurance advocated for P.C.S., Cartis 29,038
3 years: if Age lowered to 17-19, advised - p. 508-9	Provident Funds, P.C.S., information re - p. 468
If Age lowered to 17-19, advised p. 598-9 for Indians, advised, Barrow, 28,091, 28,099; Betchetor, 28,802.	
Batchelor, 28.802.	Provincial Civil Service:
Question of scheme, Alead 20,787-90	Abolition of higher branch proposed, if simultaneous
Suggested, Curtis - 28,983 Increase suggested, Aga Khan - 27,192	examinations adopted, and merging in I.C.S., Bhurgri - 32,115, 32,160-70, 32,174-6
Propert system mustisfactory and reasons. Laurence	no Appointments to Listed Posts from to Executive
Present system unsatisfactory, and reasons, Lauvence 30,503 4, 30,674-6, 30,714, p. 438	Branch, Mead 26.878, 26.887
Qualification, tests suggested - 0, 440	Arrangements of Public Service Commission of
not Required for Indians recruited from Subordi- nate Service or the Bar, Chandasurker - 31,127	1886-7, not approved, Bharnaka 32,336, 32,340, 32,385
	Classes of offices and appointments, no change
AND TRAINING: Colleges in chief cities advised for training and	advised, Cartis - 29,020 Descriptive memorandum re, by Government of
probation, Karandikar 28,302 (viii)	Bombay
Combined system in India if age reduced, possible,	
Laurence 30,677	DESIGNATION:
Probation, P.C.S.:	Satisfactory, L. S. Mehin, 27,873; Curtis, 29,024; Mehendale, 29,511; Sabnis, 30,267; Bharneka,
Letter re p. 489	32,122 : Kelkar, 32,930.
Revised rules · · · · · p. 496	Satisfactory, but name of Presidency suggested if
AND TRAINING:	changes required p. 465 not Satisfactory, and suggestions, Tuleyarkhan,
Control College advised Leggrance - 30.547	27.952; Kadri, 29,947; Louvence, 30,551;
Details of, Curtis, 29,018; Madgaular, 30,892. Satisfactory, L. S. Mehtu, 27,371; Kelkar, 32,928.	Kelkar, 32,930.
not Satisfactory, and experience in office of	Suitable, but no objection to title of "Bombay
mukhtyarkar, Deputy Collector, and Assistant	C.S. &c., if desired, Madgarkar 30,901
Collector, advised, Bhurgri 32,119	Division into higher and lower branches suggested, Madquakar - 30,890, 30,911, p. 487
Work as supernumerary mambatdars advised, for	Grading, revision advised, <i>Kadei</i> , 29,952, 29,990-2;
probationers for higher grades, Madhavial 33,258	Sabais, 30.265; Bhurgri, 32,120; Bhurucha, 32,340.
Procter, Sir Henry E. E., evidence of - 30,070-222	
	Held in esteem, Kadri 30,002-3
	Held in esteem, Kadri 39,002-3 History of formation, Bharucha 32,340, p. 471 Improvement, of status, prospects and prestige
Promotion, I.G.S.:	History of formation, Bharacka 32,340 p. 471 Improvement of status, prospects and prestige advised, Taleyarkhan, 27,346, 28,002; Kadri.
Promotion, I.G.S.:	Sobits, 30,265 : Bhargei, 32,120 ; Bharacha, 32,340 ; Held in esteem, Kadri 32,400,2-3 History of formation, Bharacha 32,340 p. 471 Improvement of status, prospects and pressige advised, Talegarkian, 27,946 ; 28,002 ; Kadri, 29,916, 29,931, 28,988-30,000 ; Lawrence, 30,482-3 ;
Promotion, I.G.S.:	Jinnah, 31,797; Kothori, 32,684, 32,735.
Promotion, I.G.S.:	Jennah, 31,797; Kotheri, 32,684, 32,735. Increased pay preferred to better pension conditions, Louvages 30,618
Promotion, I.G.S.:  Acting appointments for short time, nearest man usually appointed, Madigeskar	Junual, 31,797; Hotheri, 32,684, 32,735. Increased pay preferred to better pension conditions, Laurence 30,618
Prometion, I.G.S.  Acting apprintments for about time, nearest man namely appointed, Madgesbur — 30,856  Block, and Disch, and State of the State of	Junual, 31,797; Hotheri, 32,684, 32,735. Increased pay preferred to better pension conditions, Laurence 30,618
Promotion, I.G.S.  Acting appointments for short time, nearest man resultly appointed, Medigestar	Vineah, 31,797; Hetheri, 32,684, 32,735. Increased pay preferred to better pension conditions, Learneses . 30,618 Investing of with higher power and responsibility advised, Learneses . 30,512, 30,711 Manuel by Don-Buropeans . p. 474
Promotion, I.G.S.  Asking appointments for abort time, nearest man active appointed, Indiquestor . 199,856 Block, and venedics suggested. Berrow, 22,103, 28,179; Euchani, 29,828; Curita, 29,183-8, 29,474-5; Lenrence, 20,524; Manageshari, 20,584; Compensation if charge of district not obtained in 10 years, articlost, Motipulents . 20,384 Confidential reports, assimulation of special prevailing in Active Managesharia, 20,884 Confidential reports, assimulation of special prevailing in Active Managesharia, 20,889, 21,625-5.	Jimon, 31,767; Eddner, 32,684, 32,735. Increased pay preferred to better pension conditions, Laurones Investing of, with higher power and responsibility advised, Laurence Manned by pon-Buropeaus 1, 9474 Mendhers belong to much same class as members of IO.S. Methodite 2,9975-6 10.S. Methodite
Promotion, I.G.S. Acting appointments for about time, nearest man resultly appointed, Modgeslaw 1, 1985. Block, and remedies 1985. Block, and remedies 1985. Gentle, 1981. 198	French, 31,707; Hethert, 32,984, 32,735. Increased pay preferred to better persion conditions, Learnese. 20,618 Investing of, with higher power and responsibility advised, Learnese 30,542, 20,711 Manusch by Don-Europeans 4, 54, 54, 54, 54, 54, 54, 54, 54, 54,
Promotion, I.G.S.  Asking appointments for abort time, nearest man active appointed, Indiquestor. 19,856 Block, and remedies suggested. Berrow, 22,103, 28,179; Eubani, 29,838; Curita, 29,183-8, 29,474-5; Lerorea, 20,324; Managhari, 20,388.  Compensation if charge of district not obtained in 10 years, advisor, Mangharia of Section 10 years, and the prevailing and prevailing and prevailing and prevailing and the prevailing and th	Finan, 31,707; Hathert, 32,984, 32,705. Increased pay performed to letter pension conditions, Laureure 1, 1994, 19
Prematica, I.G.S.  Acting appointments for short time, nearest man smallly appointed, Indiquester Silect, and remedies suggested. Berrose, 22,100, 28,179; Eestenit, S.B.S.S., Ourita, S.I.S.S., 1947.4-5; Eestenit, S.B.S.S., Ourita, S.I.S.S., 1947.4-5; Eestenit, S.B.S.S., Ourita, S.I.S.S., Ourita, S.I.S.S., 1947.4-5; Eestenit, S.B.S.S., Ourita, S.I.S.S., 1957.4-5; Eestenit, S.B.S.S., Ourita, S.I.S.S., 1957.4-5; Eestenit, S.B.S.S., 1957.4-5; Eestenit, S.B	Heash, 31,707; Hetheri, 32,684, 32,705. Increased hyp preferred to letter pension conditions, Laurences. 20,618. Intracting of, with higher power and responsibility whether the contract of t
Prematica, I.G.S.  Acting appointments for abort time, nearest man smally appointed, Indiquestar . 10,856 Block, and remedies suggested. Revress, 22,10,, 28,179; Redenit, 28,828; Ourla, 29,185-8, 29,474-5; Lenencies, 29,524; Mangalent, 70,984. Compressition if charge of district not obtained in Uniformity reports, assemblism of system to blue to the contraction of the compression of the contraction of the compression of the com	Heash, 31,707; Hetheri, 32,684, 32,705. Increased hyp preferred to letter pension conditions, Laurences. 20,618. Intracting of, with higher power and responsibility whether the contract of t
Promotion, I.G.S.  Action appointments for about time, nearest man many appointed, Midgocker 90,856 Block and venedics suggested. Berrow, 22,10, 98,179; Eeskani, 28,283; Curia, 29,183-8, 93,474-5; Levrace, 20,324; Managhashra, 30,888 Compensation if charge of district not obtained in 10 years, articola, Madepacher 20,888 Confidential reports, assimilation of system to that prevailing in Army, advised, and offices should be farmished with copy, Madgocker 20,898, 43,68-5. Independence of independence considered read to preference, impression er, ind statements with drawn, Madgacker and the considered read to preference, impression er, ind statements with drawn, Madgacker and the statement with drawn, Madgacker and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference and the considered read to preference and the considered read to preference and the considered read to preference, and the considered read to	Heash, 31,707; Hetheri, 32,684, 32,705. Increased hyp preferred to letter pension conditions, Laurences. 30,618. Intraving of, with higher power and responsibility arthread, Laurence 10,708. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 11,088. Medical Laurence 12,087. Medical Laurence 12,087. Medical Laurence 12,087. Medical Laurence 12,088. Medic
Premotion, I.G.S.  Action appointments for abort time, nearest man activity appointed, Medigorbary — 30,856 Block, and remedies suggested. Berrow, \$2,100, \$28,179; Behanit, \$2,828; Ourles, \$2,185-8, \$2,924-6.5; Learness, \$2,924, \$4,95-8, \$2,924-6.5; Learness, \$2,924, \$4,93-8, \$2,924-6.5; Learness, \$2,924, \$4,93-8, \$2,944-6.5; Learness, \$2,924, \$4,93-8, \$2,944-6.5; Learness, \$2,924, \$2,94-6.5; Learness, \$2,924, \$2,94-6.5; Learness, \$2,924, \$2,94-6.5; Learness, \$2,94-6	Fiesas, 31,767; Ethera, 32,684, 32,735. Increased pay perferred to letter pension conditions, Lauvese 30,818 Investing of, with higher power and responsibility advised, Lauvenee 30,82, 20,711 Mannel by non-Buropeaus 1, 474 Members belong to much same class as members of ICS. Mechanite dependence owing 2007-56 Members wanting in independence owing 2007-56 Members wanting in independence owing 2007-56 Members wanting in independence owing 2007-56 Members and the service objection of the service objection to, not west!, Bhorwele 23,285, 20,349 Marging with old uncoromattle service. objection to, not west!, Bhorwele 23,285, 23,249 Mixing up of young and old men in same grade
Promotion, I.G.S.  Action appointments for about time, nearest man many appointed, Midgocker 90,856 Block and venedics suggested. Berrow, 22,10, 98,179; Eeskani, 28,283; Curia, 29,183-8, 93,474-5; Levrace, 20,324; Managhashra, 30,888 Compensation if charge of district not obtained in 10 years, articola, Madepacher 20,888 Confidential reports, assimilation of system to that prevailing in Army, advised, and offices should be farmished with copy, Madgocker 20,898, 43,68-5. Independence of independence considered read to preference, impression er, ind statements with drawn, Madgacker and the considered read to preference, impression er, ind statements with drawn, Madgacker and the statement with drawn, Madgacker and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference, and the statement with the considered read to preference and the considered read to preference and the considered read to preference and the considered read to preference, and the considered read to	Heash, 31,737; Hethert, 32,684, 32,735. Increased by preferred to letter pension conditions, Laurences

Provincial Civil Service-continued.	Recruitment, I.C.S.—continued.  AGE OF ARRIVAL IN INDIA—continued.
ORGANISATION: Inclusion of all posts carrying salary of Rs. 150	Recruits at different ages:
2 namewis in scirited, and growing under	no Difference, Crump 27.619
heading judicial, executive and technical, Kelkar	Impossible to compare, Cartis 28,974  Annual indent, principle, information re p. 457
Total Ann Mr. A. P. Maedonnell to Bombay	on Basis of total number of posts cause of block.
Government re p. 484-b	Curtis 29,474-5 Casualty rate, assumed rate too high, Graham
Satisfactory, Sabsis 30,273	Chanalty rate, assumed rate too nigh, Grands 29,768
Statement, Appendix B., corrections, Mekendala 29,493	Change not recommended, Telegarkhan - 27,990
Topolisfactory, and reasons, Banrari, 33,127;	Class Representation:
Rharucha, 32,340.	of All classes, not possible, Burrow, 28,073;
Popularity of, and attracts best university student, Meleculate 29,687-8, 29,674	of All classes, not possule, Derroin, 28,073; Highest, 28,595; Latervier, 09,485, 30,647-8, not Approved, Madgestor, 36,794, 30,929-35; P. M. Melde, p. 308, para. (vii); Jineah, 31,764, 31,706, 32,016-23.
Prospects of members of, Mend - 26,780-1	P. M. Mehta, p. 308, para. (vii); Jinnah, 31,764.
RECRUITMENT:	31,806, 32,016-23.
Certain number of vacancies should be filled by	Arrangements to help Muhammadans proposed, Bharacks 32,929, 32,340
open competition, Kadri - 22,916 Present method, Curtis - 29,325-8	Communal separation not advisable, Aga Khan
Rule VIII., alterations advised, Scott -25,903	97.094
Separate cadre for four lingual tracts, advised and	Desirable, and method, Cramp. 27,816, 27,823; Batchelor, 28,761; Cartis, 29,390-6; Kadri,
reasons, Madgaukar 30,889 Stigma of inferiority, removal necessary, and means,	29,917; Chandaperkur, 31,099; Hothavi, 32,659, 32,874; Helkar, 32,884.
Bharneka 33,340	32,374; Kelker, 32,384.
Still practically old uncovenanted service, Haracha	not Necessary, and objections, Paranipys, 26,040, 26,250-1, 26,581-5; Mead, 26,638; L. S. Mekta,
\$2,340 Success of p. 463	27.342.
	not Necessary if present system continued, but
Public Instruction, Director of, no objection to Civilian occasionally, Paranipys - 26,653	advised with separate examination system.  Esbank 28,562
	Reservation of fixed number of posts for backward
Public Prosecutor, training as, valuable for post of district and sessions judge (and question of recruit-	communities not objected to, Kelkar 32,883
ment from), Statt 25,902, 25,906, 25,933-6,	if Taken into account must be applied to Europeans also, Kelkur 32,884
25,951-2, 25,961	Comparison of university man with conceal colings
Public Works Department, clearage between coven-	with youth of ability and then specializing, former preferred, Paranjing - 26,322-34
anted and locally recruited officers less marked	Compensive Examination:
than in LCS., Kothari	not Best test, but only one possible, Curiis
R.	29,447-8
	Class representation met by, Paranippe 26,038, 26,390-6
Railway Administration, cleavage between covenanted and locally recruited officers less marked than in	Explanation and history of system p. 429
I.C.S., Kothari 22,684	Explanation and history of system p. 429 should be Open door, Aga Khan 27,096
Rajkete, political agent, sumptuary allowance recom-	Question of suitable test for Indians, Jinnah 31,847-61
mended, Curtis	not Suited to Indians
Rajkumar College, increase of similar places suggested	Dissatisfaction will remain as long as I.C.S. separately regraited in London, Grump 27,392
with view to enlisting members of aristocracy in	possible Effect of proposed alterations, Jinnah
LO.S., Aga Khan	possible Effect of proposed alterations, Jinnah 31,862-5; Bhurgri, 32,180-5.
Recruitment, I.C.S.:	Biliciency only consideration, Jinnah 32,016
AGE OF ARRIVAL IN INDIA:	in England:
20 or 21 for English advised, Barrow - 28,090, 28,168-76	in England alone advised, Laurence 30,450, 30,482-3
21 or 22 advised, Cartis, 38,974, 29,077; Proster.	
30,123.	resruited otherwise would not be members of
22-23, probably best, but fixing of age to secure tripos men advised, Mead 26,644, 26,743,	I.C.S., Group 27,711-6 Up to nacessary minimum strength advised, and
26,820_3	remaining appointments in a different manner.
23 advised, Rubank 28,620-1 24 advised, Crump, 27,676; Laurence, 30,491	outside I.C.S., Gressp 27,616, 27,661-5
50.746-6.	
24 or 25, or 26, advocated, Paranjpye, 25,045-28,095-9; Madyankar, 30,802; Graham, 29,799-	First-class men not recruited as a rule, but recruite sufficiently efficient, Kelkar 32,577, 32,989,
26,095-9; Madyantar, 30,802; Graham, 29,709- 801, 29,843.	
25:	Impossibility of recruiting in two ways and being
Approved, Aga Rhan. 27,014, 27,117, 27,312-5	regarded as same service, Green 27,616, 27,651-5,
11. 0. Meste, 21,321; Medri, 29,320; Sobnis 20,236; Chandavarker, 31,107-9, P 31	27,756-8, 27,816, 27,875-89
Approven, 2ge Avan. 27,934, 21,117, 27,912-5 L. S. Mehla, 27,347; Kadri, 29,920; Sebain 30,235; Chandawarkar, 31,107-8; P. M Mehla, 31,400-3, 31,527, 31,531-7; Kelkar	IN INDIA: - 33,224
<ul> <li>Later preferred, Parasipse 26,324-34, 26,347-3</li> <li>Too late, Barron. 28,066; Carita, 28,361</li> <li>29,974-7, 29,176-8.</li> </ul>	Examination after study in Farland and
29.974-7, 29.176-8.	amention of 17-17 - DO has all
26 or 27 suggested, Kethari - 32,716-8, 32,73	namination preferred to nomination, Chandavarkar
Earlier, unsuitable for Indiana and differentiation	the Scholars who have record M.A. commission
suggested. Barrow	
Extension not advisable p. 43 comparatively Old preferred, Eschauk, 28,735 Lauvence, 30,727-S.	aurisea, Rarandikar 28,361 (xiv), 28,386 Examination for select number from each province
деничение. 30,727-S.	preferred, Batchelor 28,783

DADEZ

## Recruitment, I.C.S .- continued.

IN INDIA-continued.

Indians should still be eligible for appointment in England, Paranipye, 26,041; Aga Khan, 27,040; Batchelor, 28,762; Sabnis, 30,231; Laurence, Batchelor, 20,702; Sannes, 30,201; Leaurence, 30,484; Madgeuker, 30,705; Chardanarker, 31,100; Finnah, 31,705; Bhargri, 32,000 Bharacha, 32,330; Kathari, 32,660, 32,700; Kellar, 32,877, 38,885; Sathe, 23,356.

Indians should not be eligible for appointment in England, under scheme, Barrow 28,074, 28,134 Mr. Natrajan's proposal in Indian Social Reference recommended as alternative to simultaneous examinations, and explanation, Aga Khon 27.217-9, 27.258-9

Nomination and examination for limited proportion of vacancies, and scheme, Kothori 32,700-8, 32,744-55, 32,784-93, 32,832-47.

Nomination:

not Approved. Paranjpye, 26,040; Madgarkur, 30.794

Suggested, Chardmarkar -31.099Present system satisfactory in principle, but defective in practice, Kelkar -Satisfactory, Kotheri -. 39 R96 - 32,686 Suggestion for throwing open curtain number of appointments for, considered -- p. 430 Visit voce tests, difficulty re p. 430

OF INDIANS: if Alternative scheme introduced, listing together of all successful candidates proposed, Bharacha

Average annual admissions, and percentage of total, table p. 423 p. 433 from the Bar or Subordinate Judicial and Revenue Service advocated if sufficient Indians successful

candidates by open competition, Chandasurkar 31,096, 31.145-7, 31,197-8, 31,229-34 on Basis of absolute equality, advised, P. M. Makto p. 307, q. 31,379-90, 31,388, 31,569-71, 31,599-601

by Competition, not primary method - - p. 463 Competition as good a test as for English, P. M. . . . 31,608-9 p. 509, 511 Cost of scheme -Differentiation, danger of p, 431 by English door, limit, question of fixing, L. S. Mohta 27,419-25 Mehta -

Increase: not Advised unless highest administrative posts thrown open, Bharacha - 32,328, 32,340 not Anticipated at first, and possible decrease,
Bhargri - 32,167-8, 32,184

Increased facilities: Advised, Aga Khan, 27,037; Batchelov, 28,784-6, 28,844, 28,888-74.

not Necessary, and demand not representative of country, Rivington - 26,940-1, 26,983-5, 27,027-31

of Men of high character and good family, question of, Paranjpye, 26,252-8; Aga Khan, 27,162-6; Batchelov, 28,835-8; Sabniv, 30,354-7; Kathari, 32,865.

Assert, 02,000.
Limitation, and promotion from P.C.S. advised.

Bateletic 98,947-8, 98,992-4
Long residence and truining in England advocated,
Moud 26,631, 26,635

New Indian service, no obstacle to, Bharuche by Nomination:

not Approved, Bharucha 22.239 of Certain number, no stigms of inferiority anticipated. Barrow -28,324-6 at Early age not practicable, L. S. Mehte 27,461 Selection or nomination according to success in

approved tripos suggested, Mead not Urged if better scheme possible by examination or scholarship, Chandetarker -21 925

Som to someonsum, consummers - 0.1255
Nomination (or Selection) followed by examination:
Advocated, and echouse, Mend, 26,085; Curits,
28,062, 28,065, 28,968-70, 29,942-3, 29,050,
29,184, 29,225-16, 29,376-89; Mentr, 29,011,
20,031, and to dearly and to account. 29,913, 29,917, 29,954, 29,983-5, 30,017-35, 30,048-68; Laurence, 30,641-5.

Recruitment, LCS,-continued.

OF INDIANS-continued. Nomination (or Selection) followed by examination -continued

at Barlier date, State aid advocated. Mond 96 765

by Headmasters, question of, Sherp 32,599 Suggested if change necessary. Batchelor 28,761, 28,779-87, 28,866-74

if Preference necessary, nomination of certain number to undergo three years' training in Bugland, &c., suggested, and details. Paranippy. 26,503-5; Barress, 28,073, 28,131, 28,140-5. 28,192-4, 28,293-5, 28,324,

Present system contrary to statute, P. M. Mehia 31,390, 31,437, 31,637-49 Promotion of fit men advocated, but danger of going too first arged, Rivington - 26.933 mestion of - p. 503 Question of - - - - p. 503 Removal of sense of unfairness, advocated, Paranjpye - 26,041, 26,082, 26,141, 26,203, 26,443-7

Reservation of appointments for, and selection in eservation or approved, and reason. Peranjpyc 26,211-21

on Same footing as English, advised, Aga Khan 27,231-4 Some method desirable. Chandaearlar 21,150-4 Suggested arrangements, if age-limit lowered - 26.553-61 - 27,453-60 Paranippe -

Suggestions, L. S. Mehin Suggestants, L. S. seems 2, 436-30 Supplementing of examination candidates by recruitment in India not approved but might alleriate disabilities, P. M. Mohter 31,134-8 System satisfactory, Head 26,550; Crusp. 27,624; Crufzi. 28,281 Sabain. 30,241; Leuvence, 30,495; Madgauber, 30,898, p. 433.

System deficient as not affording facilities for character training, and public school education

advised, and menus.

System not satisfactory, Paraging, 20,630;

L. S. Mehta, 27,353; Jinsah, 31,776; Bhargri, 32,690; Madharlal, 33,235. Interests of mass of people, consideration necessary, and question of agreement with interests of

educated classes and not conflicting, Agn Khan 27,157-61, 27,278-80 Military Officers (see under Military Officers).

Modification of system suggested if scholarships granted to Indians, and scheme of nomination of English candidates proposed p. 506-7

NOMINATION AND EXAMINATION: Advocated, Mond. 26,634, 26,682-5, 26,720-4; Learence, 30,475, 30,479, 30,561-5, 30,640-5,

30,701-9, 30,719-21. not Advocated, and objections, Cramp, 27,612; Barrons, 28,069; Curtis, 28,960; Procter, 30,078;

 Meadgester, 39,787, 30,739; Practer, 0,078;
 Meadgester, 39,787, 30,739; Chaudauxrar, 31,148-9, 31,187-9, 31,915-6, 31,311-3; P. M. Mehle, p. 308 (para, vi), 31,430; p. 429.
 Nomination (or selection) after examination proposed, Eulent 28,558, 28,580-4, 28,591, 28,721-3

ce also sueder Indians about.) by One way only preferred, Cartis, 29,041, 29,183;

Sathe, 33,355. Open competition preferred, Cramp, 27,812; Jinnah, 31,761, 31,764, 31,800-1, 31,847.

from Other services, no objection, Paranjpye 20,013 Present system, continuance of, advised, Rivington

PROIT P.C.S.:

Approved, Age Elica, 27,156 2, 27,253-5, 27,317; Cramp, 27,656; Cartis, 29,133-4, 29,159-63; Redri, 29,963-5.

Class of officer not always suitable, Kudri 29,966 by Increased promotion would neet demand partly, Batchelor 28,790 not Preferred to scheme for separate Indian service, and discussion re. Bharman 32,396-109

not Preferred to present method, Mehandale by Promotion preferred. Rivington. 26,958; Graham, 29,840-1; Kudri, 29,918, 29,962-3.

Recruitment, I.C.S.—continued. FROM P.C.S.—continued.	
	Recruitment, P.C.S.—continued.
FROM P.C.S.—continued.	
	Arguments against, summarised - p. 46 Charges of faking results referred to, Paranippe 26,039, 26,33 in seek Province advised and not
Approved Palestrants, 21,302-1; Carees,	Onarges of maing results referred to, Paverypye
29,450-3; Kothari, 32,736-7. not Approved, Barrow - 28,192-9, 28,298	in each Province advised, and not restricted t
no Objections and preferred to simultaneous	residents, Chandavarkar . 31.314_9
	residents, Chandavariar 31,314-2 Results of former experiment, Kadri, 30,010-6
Qualifications desired, Barrow, Love, Lowerse,	Gaaraarraar, 61,620-2; Melkar, 32,935.
28,558.	Scheme, and graduates preferred, Chandauarhar
Recruits:	81,101, 31,162- for Three years, Bharucha 32,447
no Deterioration, Cramp, 27,752; Barrow, 28,079. of Good family, important, Kothari - 32,855-8	for Three years, Bharucha 32,447. Conditions generally suitable, Paranjnys, 26,06: Mehendals, 29,401; Kadri, 29,440; Sabuis, 30,260
of Good family, important, Kothari - 32,855-8 Improved, Chandanarkar - 31,106, 31,294-8	Mehendale, 29,491; Kadri, 29,940; Sabnis, 30,260
Improved, Changasariar - 51,100, 61,252-5 Improvement possible and right class not always	Lawrence, 30,543; Kelkar, 32,924.
obtained, Mead - 26,643	Direct:
Indian conductes anestion of probability, P. M.	Abolition advised if separate examination held a
Mehta	Delhi, Bharucha 32,33 to Grade of Rs. 200, Curtis 29,41
Married, advantages and disadvantages, Mad- garkar - 30,799	to Post of subordinate judge preferred to system of
gankar - 30,709 not Quite satisfactory, but not on account of age,	eradual use of mamintdars, Sathe - 33 435
Lautrence - 30,700-2	Very little, and more would increase attractions of
Suitable, Crump, 27,620; Cartis, 28,975; Law- rence, 30,490; Madgavkar, 30,801, p. 483.	26.377.
rence, 30,490 ; Madgavkar, 30,801, p. 433.	Examination test advised, Bhurgri 32,11
of Two periods, impossible to differentiate, Burrow 28,078, 28,276-9	of Europeans, not statutory natives of India, raw and none in Bombay p. 463-
Barrow 28,078, 28,276-9 Unmarried for first 3 years preferred, Barrow	Fixing of proportion to be recruited by connectitive
28,066	examination and nomination advised and criticism
Reduction of appointments and increase of listed	of appointments and theory not observed in practice, Kelker 32,924, 32,927, 33,072-86, 33,20
posts would not materially affect, Cramp 22,756-8	practics, Kelker 32,924, 32,927, 33,072-86, 33,20
Restriction to residents not necessary, Paranjum,	NOMINATION OR SELECTION:
26,039; Aga Khan, 27,095. Rules framed to suit English conditions, but altera-	for Appointments to higher grades, particular Barrow 28.12
tion not advised, Paranjpye - 26,206-21	Approved, Curtis, 29,015; Kadri, 29,942, 29,977
Separate Examinations (see that title).	Lawrence, 30,546, p. 464,
Simultaneous Examinations (see that title).	not Approved, Changeberker, 31,153, 31,239-48
Social status, importance of, in India, Kadri	Bharucha, 32,340, 32,376.
29,983-5, 30,917-9 Super-added test of character not advised, Barrow	Method, &c., Paranjpye - 26,590-60
28,288	Partly, advised, and scheme, Kelkar 32,93 33,000-1
System satisfactory n. 429	of Rigid nature, advised, Kothari 32,684, 32,875-
of Undesirables, necessity for devising system to	Nomination and Competition combined:
avoid, Mond 26,723-4	Advised, and reasons, L. S. Mehin, 27,369, 27 408
University men advised, Mead - 26,644, 26,743, 26,822-5	27,585-91; Karandikar, 28,361 (11), 28,39-
ernitment, P.CS.:	28,551-6.
cruitment, P.C.S.: Abolition of any method but premotion from man-	Arguments against p. 46 Objections, Paranjpys
latdays or non-gazetted officers advised, Bharachi	Preferred, Kadri - 29,977-8, 30,025
Alterations proposed, Kadri 29,941	Open competition followed by course of studies of
no Alteration advised, Sabuts - 30,232	line of LCS. advised, Madgavkar 30,784 (xx
Appendix A., IV. Reciprocity of treatment should be insisted on Cramp - 27,641	Open competition, selection from outside service on
be insisted on, Cramp 27,641	promotion from lower divisions in Presidency an Sind, Kadri 29,941, 29,952, 29,97
Both methods satisfactory, Kadri 29,942	Power of resection advanted Possesses on on
CLASS REPRESENTATION:	and a regulations cancer by mentision or managerary
not Advised at expense of efficiency, Madharlal 33.255	
All classes not duly represented, and suggestions,	by Promotion of selected mambatdars, continuant advised, Chandavarkar 31.387-
Curtis, 29.017; Sabais, 30.263; Laurence, 30,546;	QUALIFYING POSTS:
Madaankar, 30.889, 30.991-3; Kethari, 32.681.	Number of Sathe
	Onlineson advisen, Tateyarkhan 28,023
	Qualifying test possible, Chandavarkar . 31.16
32,726-83. Desirable, Paranjpya, 26,065, 26,067, 26,251; Aga Khan, 27,057; Kadri, 29,944; Laurence, 30,546; Bhurgri, 32,118; Bharsacka, 32,329;	Receurs:
32,726-93, Desinhib, Paranjpya, 26,065, 26,067, 26,251; Aga Khan, 27,057; Kadri, 29,944; Laurence, 30,546; Bhurgei, 32,118; Bharacka, 32,329; Madheylal, 39,256.	RECEUTE:  Best men prefer the law, &c., P. M. Mehta
32,726-33.  Desirable, Paranjpya, 26,065, 26,067, 26,251; Age Rhan, 27,057; Kadri, 29,944; Lauvenee, 30,546; Bhurgei, 32,118; Bharacka, 32,329; Modlewid, 33,256.  Dosirable, but cool covernment first consideration	Best men prefer the law, &c., P. M. Mehia  Improvement Kedel
32,728-53. Desiruble, Paronfpys, 26,065, 26,057, 26,251; Aps. Khan. 27,057; Kadri. 29,944; Lauvenac, 30,546; Diurgri, 32,116; Bharnacka, 32,352; handheubl, 33,356. Desiruble, but good government first consideration p. 464	Boscurrs: Best men prefer the law, &c., P. M. Mehia  Improvement, Kadri not Many of real shifty Parrows  9 10
32,703-33.  Desirable, Perrufysy, 26,065, 26,067, 26,251; Age Khon, 27,057; Katri, 39,944; Laurence, 30,546; Blurger, 32,116; Bhrerach, 32,259; Michlende, 33,256. Dosirable, but good government first consideration p. 464 only Desirable, taking education into account, Kellow S. 20,267, 33,146	BECUTYE:  Best men prefer the law, &c., P. M. Mehta  Improvement, Kodvi 29,97  not Many of real ability, Barrow 28,166  Standard falling, and reasons, Batchelor 28,866
23,792-23.  Desirable, Parenjege, 26,065, 26,067, 26,251; Age Khon, 27,067; Kedri, 29,944; Lenvence, 39,464; Bhareyi, 32,116; Bharacka, 22,353; Modhezloi, 33,258. Dosirable, but good government first consideration beimble, but good government first consideration Keller  29,297, 33,140 Destribution of classes, table. Keller  32,297, 33,140 Destribution of classes, table. Keller  32,297, 33,140	RESERVENCES: Best men prefer the law, &c., P. M. Mehla 31,40- Improvement, Kodri not Many of real ability, Parrone 38,160 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000
32,732-33. 132,732-33. Desimble, Pervelyge, 26,085, 25,087, 26,251; Age Khen, 27,057; Katri, 29,944; Lenvence, 30,46; Barreias, 23,523; Madhenda, 33,256. Desimble, par god government first consideration. Desimble, par god government first consideration. Desimble, the god government first consideration. Desimble, the god government first consideration. Earlier Supplies of the particular constant, Editor. Supplies and Supplies	RESERVENCES: Best men prefer the law, &c., P. M. Mehta  1,400  Impervenent, Kodri  not Many of real ability, Barross  38,100  RESERVENCES on an areasons, Batchestor  28,800  RESERVENCES on a market state of the st
23,792-33.  Desirable, Parenjege, 26,065, 26,067, 26,251; Age Khon, 27,067; Kedri, 29,944; Lourence, 30,946; Bhargeri, 32,116; Bharnecke, 22,352; Modificated, 33,258. Desirable, but good government first consideration Kelber Desirable, taking education into account, Kelber 32,297, 33,140 Distribution of classes, table, Kalber 32,297, 33,140 Distribution of classes, table, Kalber 33,392-44, 33,102-5 Method of oldstainte, Subula 30,469-23.	RESERVENCES: Best men prefer the law, &c., P. M. Mehla 31,40- Improvement, Kodri not Many of real ability, Parrone 38,160 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000 38,000
23,732-23. Desimble, Peravigue, 26,085, 25,087, 26,251; Age Khra. 27,057; Katri, 29,944; Leavence, 30,46; Burseries, 23,325; Madhenda, 33,256. Desimble, the good government first consideration. Desimble, the good government first consideration. Desimble, the good government first consideration. Earlier Superior Science, 25,297, 33,140. Distribution of classes, table, Kolher 32,927, 33,140. Distribution of classes, table, Kolher 32,927, 34,046, 272. Mcthod of clystaring, Subula 30,446, 32,102. Mcthod of clystaring, Subula 30,468,722. Mcthod of clystaring, Subula 30,468,722.	RESERVENCES Best men prefer the law, &c., P. M. Mehla 31,40- Improvement, Kodri not Many of real ability, Parrone 38,160 38,80- 38,160 38,80-
23,732-23.  Desirable, Perneipyn, 26,085, 25,087, 26,251; Age Khen, 27,057; Katri, 29,944; Lenerace, 30,346; Baurgri, 32,115; Barricale, 32,352; Madhenkai, 33,256. Desirable, taking education into sociaduration only Desirable, taking education into sociaduration of Relian Section of Communicati	RESERVENCES: Best men prefer the law, &c., P. M. Mehta  1,400  Impervenent, Kodri  not Many of real ability, Barross  38,100  RESERVENCES on an areasons, Batchestor  28,800  RESERVENCES on a market state of the st
32,732–33.  Detrinkle, Perveiger, 26,065, 25,067, 26,251; Age Khen, 27,657; Kachri, 25,944; Leavenac, 32,052; Marchael, 27,657; Kachri, 25,944; Leavenac, 32,052; Marchael, 35,256.  Detrinkle, 32,256.  Detrinkle, 32,256.  Detrinkle, 32,256.  Detrinkle, 32,257.  Mellouf Chasses, table, facilier 32,257, 33,454.  Method of obtaining, Sabada 33,264, 33,124–34.  More difficult to secure, if competitive ramning the description of the sabada 33,264, 32,124–32.  More difficult to secure, if competitive ramning between the sabada 10 represented at carried and sabada 10 represented at carried and specific repr	BECONUTS: Best men prefer the law, &c., P. M. Mehlu Improvement, Medri 29,57 not Hany of real shifty, Barraes 29,10 Standard Inding, and rescuess, Batchelor 28,510 Standard Inding, and rescuess, Batchelor 28,510 REMERICATION OF DESIGNATION OF SERVICES 20, 20, 20, 20 Leading, 19, 20, 27, 27, 27, 28, 27, 29, 27, 20 Leading, 20, 27, 27, 27, 28, 27, 29, 20, 20, 20, 20, 20, 20, 20, 20, 20, 20
23,732–23.  Dezimble, Parenjoya, 26,055, 25,067, 26,251; Age Rhen. 27,057; Katri, 23,944; Lenerace, 20,046; Binergio, 23,132; Bineracios, 23,532; Madhenda, 33,256.  Dointble, but god government first consideration only Desimble, taking education into socialization only Desimble, taking education into socialization Desimble, taking education into socialization on the second of t	BESENUES:  Best Inca prefer the law, &c., P. M. Mehlu  Impervenent, Kodri  1.297  not Hany of real ability, Burrose  29,116  Studdard falling, and rescours, Batchelov  28,519-2  REFERENCIPON TO INSIDENSES  Advised, Prevejujes, 50,066; 4pc Khou, 27,056  L. S. Mohn, 27,370, 27,48-7, (orts. 20,310  Kadri, 29,943; Schools, 30,202; Madgendon  30,851, 7,4mas, 31,74-9, Baruyri, 32,115, 32,117  22,231-2, not Advised, Kelley 22,956, 3,297-27, 33,00-1
32,732–33.  Deminks, Pervelyng, 26,065, 25,067, 26,251; Age Khen, 27,067; Kachi, 25,944; Leavenne, 25,054; Microsi, 27,067; Kachi, 25,944; Leavenne, 25,054; Microsia, 26,052; Microsia, 26,054; Microsia, 26,052;	BERGERUYS: Best men prefer the law, &c., F. M. Mehin  Improvement, Kedri  1, 20, 19  not Hany of real shifty, Berrose  25, 10  Standard Inding, and reasons, Batchelor  28, 510  REGERIALOTION TO RESIDENTS:  Advised, Tennyippe, 36,066; Age. Khon, 27,055  E. S. Micho, 27,370, 27,483, 7; Curita, 20,101  20, 21, 22, 24, 24, 24, 24, 24, 24, 24, 24, 24
23,732–23.  Desimble, Parenjoya, 26,085, 25,087, 26,231; Age Khen. 27,057; Katri, 23,944; Leavence, 20,046; Binorgi, 32,113; Binoracia, 23,33; Madhenda, 33,236.  Dointble, but good government first consideration only Desimble, taking education into account, Kelhar.  Destribution of classes, table, Editor, 20,147, 23,147.  Destribution of classes, table, Editor, 20,147, 23,147.  Method of obtaining, Subu. 33, 23,44, 23,124.  Method of obtaining, Subu. 33, 23,44, 23,124.  Method of control to secure, if compositive ramning-tion, Curfa.  Races should be represented at examination seconding to numerical strongth, Nissaysi.  3,21,15, 23,118, 23,212.  Uncound in theory, but prevention of monopoly by any center occessary, Madhagatar. 20,853.	BERGERUPS: Best Ince prefer the law, &c., F. M. Mehlu Improvement, Kedri 1, 20, 27 not Hany of real shifty, Berrose 29, 17 not Hany of real shifty, Berrose 29, 18 Standard falling, and reasons, Batchelor 28, 51 Standard falling, and reasons, Batchelor 28, 51 S. Mehles, Terrojpje, 50, 60; j. dps. Khon, 27,05 S. S. S. S. S. S. S. S. S. S. S. S. S. S
28.7.28-28.  Defaniski, Paravigua, 26,065, 25,067, 26,251; Age Rhen, 27,067; Katri, 25,944; Lenerance, 32,057; Katri, 25,944; Lenerance, 32,052; Barricale, 32,052; Dodrinole, bar good government first consideration from the parameter of the par	SECRETURE: Best men prefer the law, &c., P. M. Mehlu Improvement, Medri
287.78-38.  Deminkle, Paravigua, 26,065, 25,067, 26,251; Age Rhen. 27,067; Katri, 25,944; Lenerance, 30,346; Bharreles, 32,359; Bodhetol, 35,256. Definitely, and code government first consideration from the p. 444 only Desirable, taking calentation into account, Kellow. 28,227, 33,140. Distribution of classes, table, Rollow. 32,227, 33,140. Method of obtaining, Subuda 30,344, 43,210-2. Method of obtaining, Subuda 30,346-72. More difficult to secure, if compositive amministic, Contrix. Subuda 30,346-72. Uncound in theory, table 51,368-73, 23,98-11. Uncound in theory, table 51,361,5, 20,212-3. Uncound in theory, table 51,361,5, 20,212-3. Uncound in theory, table 51,361,5, 20,212-3. Uncound in theory, table 51,361,5, 20,212-3. Uncound in their fact, table 51,361,361,361,361,361,361,361,361,361,36	SECRETURE: Best men prefer the law, &c., P. M. Mehlu Improvement, Medri 29,57  nof Many of real shifty, Barrae 29,10  Standard Inding, and rescues, Batchelor 28,510  Standard Inding, and rescues, Batchelor 28,510  Advised, Perceptige 25,002 of pt. Man, 27,003  Advised, Perceptige 25,003 of pt. Man, 27,003  Advised, Perceptige 25,003 of pt. Man, 27,004  Advised, Perceptige 25,003 of pt. Man, 27,004  Advised, Perceptige 25,003 of pt. Man, 27,004  Advised, Perceptige 25,003 of pt. Man, 27,004  Self-Berney Self-Self-Self-Self-Self-Self-Self-Self-
32,728-53.  Derimake, Parovigue, 26,005, 25,007, 26,221; 4ge Rhens, 27,007; Kachi, 25,944; Louvenac, School, Carlon, C	BEDENIUS: Best men prefer the law, &c., P. M. Mehin Improvement, Kedri
33.73-53.  102-134.  102-1	SECULIVES: Best men prefer the law, &c., P. M. Mehla Improvement, Medri 1918 11 1919 12 1919 13 1,499 14 1919 15 1919

Recruitment, P.C.S.—continued. RESTRICTION TO RESIDENTS—continued.	Revenue Administration: not Based on English lines, and dealt with by Execu-
not Necessary, Barrese, 28,119, 28,355-6; Chan- desurbar, 31,156-9. Parts of Presidency differing in language, &c., should be considered as separate provinces,	tive officers, and example, P. M. Mehta 31,498-16, 31,538, p. 307 Complaints of, and separation of functions required, P. M. Mehta 31,629-34
Bhurgri 32,117, 32,229-30 Residents only employed, Cartis 29,016	Details, P. M. Mehla 31.714-9 Revenue officers:
Rules: Alterations suggested, Teleparkinen 27,948.	Able to perform magisterial duties properly, Kadri 30,046-7
History of drulting, &c. p. 472 Letter re p. 487 of Local Government and Government of India.	First-class magisterial, powers should be restricted to those with LL.B. degree, Karandikar 28,382 (viii) 28,504
unsuitable, Kelkor 33.204-5	Set aside High Court judgments, Karondilar 28,361 (vii), 28,41.4
Revised set, Curtis - 29,328; p. 493 for Selection of mamlatdurs provided, and further alteration not desirable, Barrow - 28,359	Special powers not really judicial p. 143 Rivington, The Rev. Canon Cecil Stansfeld, evidence of 26.824-27,033
Suitable. Sabais, 30,261; Madhaslal, 33,256, 33,349-50.	8.
not Suitable, Kelkar - 32,924-5, 33,907 Satisfactory, Barrow, 28,118, 28,161; Jimash, 32,925, 31,929, p. 463.	Sabuis, Rao Bahadur Raghunath Vyankaji, evidence of 30,223-473
Social status, Kndri - 30,013-6, 30,020-5 from Subordinate service, 30 per cent. advised,	Salt Act, cases under, complaints re, P. M. Mehla 31,029-34, 31,742 Sardars, agent, sumptuary allowance suggested. Curtis
Kelkur 32,935 Table of appointments filled since 1895, under each	22,431 Sathé, Ganesh Krishna, evidence of 33,331-198
method of recruitment p. 482 Test of efficiency. Sabnis 30,486-8	Scholarshins
Registration, Superintendent of, possible addition to listed posts p. 438	Advocated, and schemes, Tulayerkhan, 27,944, 27,958, 27,959-65, 27,988-8001; Cartis, 28,965, 29,045-9, 29,185-8, 29,286; Laurence, 30,566-8,
Residences: for Collector and judge of each district, provision by Government at fair rent advocated, Mead, 26,875,	m 504_11 - Madazoko 20 786
p. 525; Batcholor, 28,774.  Reuts high, Curtis 28,999	Advocate6, if simultaneous examinations not introduced, and particulars, Paranipye, 25,038, 26,130-41, 25,165-8, 26,358-63, 20,333-6, 26,582-5; L.S. Mohta, 27,358, 27,457.
Retirement, I.C.S. :	not Approved, Rivington, 26,946-7; Aga Khan, 27,112-5, 27,177-81, 27,318-9; Graham, 29,803-4;
Automatic, after 25 years' service advised, if rank of Commissioner or first-grade judge not reached, Graham 29,780, 29,818-32	Meneralization 20,745; Andre, 23,860; for Agricultural degrees advised, for applification
COMPULSORY, POR INEFFICIENCY: Advocated, and method, Barrow, 28,104, 28,115, 28,159-60, 28,289-92; Curtix, 28,907, 29,113-5, 29,139-41, 29,191-3, 29,329-32.	for P.C.S., Madgawkar 30,889 to Backward classes if simultaneous examinations adopted, suggested, Kellarr Oare of boys in holidays should rest on India Office
Delegation of power to local government from Secretary of State, not advisable, Madgaphar	p. 516 Cost of scheme p. 509, 511
30,848, 50,879, 30,946-8 in First five years only, advised, otherwise disapproved, Laurence 30,584-91	Free studentships advised, Madonakar - 30,889 might Improve class, Proctor - 30,085 Insufficient, Paracippe - 26,088
Extensions of service:	Parents would send children, Kadri 29,981
Abolition advised, Bhurgri 32,128, 32,128, 32,187-90, 32,315-7 Objections, Metendale - 29,749-50	SELECTION FOR:  Details, &c., Chandenarker 31,180-6 at Early age notadvocated, and reasons, Parmypyo 26,347-57
VOLUNTARY: After 15 years, advised, Curtis, 29,009, 29,221-4;	for Training in England after examination in India.
Laurence, 30,537, 30,590, 30,678-80. After 15 or 20 years, advised, Graham 29,780	advocated, Mead
After 15 or 20 years, advised, Graham 29,780 After 17 years' service on proportionate pension, permission desirable, Barrow 28,116, 28,158-8	Secretariat, promotion of Indians to responsible posts in, advised, Aga Khan 27,048, 27,219-23
After 20 years, a medical certificate advocated, and after 25 years, without medical certificate, Numeri	Secretaries :
Retirement, P.C.S.:	Limit of appointment to 3 years suggested by some,  Madgenium 20,848  Par, increase advised, Aga Khan 27,104,27,311
Compulsory: at 50 advised, Bhurgri 32,126, 32,128, 32,186-90 at 55 advocated, Hadri - 29,851	Pay, increase advised, Aga Ehan 27,104, 27,311 Pensione, increase advised, Cartis 22,008 Under, listing of post suggested, Kothari 32,671,
at 55, should not be hard-and-fast rule, Sabais	Separate Examination:
Extension of service beyond 55 not advised, Madgaviur - 30,900 by Imperial Government, advised, Madgaviar	Advocated, with reservation of fixed number of posts for Englishmen, Ewbank - 28,560-1, 28,579, 28,725-6
30,911 for Inefficiency: Advised, Curtis, 29,022; Laurence, 30,549,	not Advocated, Paranjpye, 26,038-9, 26,037-91; Résidentes 26,925, 26,935-6, 26,955-8; L. S. Melda
30,556.  Vesting of power in local government not advised, and reasons, and recommendations re.	27,341; Cramp, 27,615, 27,516; Tolegarkhan, 27,944, 27,951; Barrow, 29,752; Certis, 29,065, 29,052-4; Graham, 29,755, 29,784; Kadri, 29,916, 29,585; Sabais, 39,239; Laureme, 30,482, 39,559- 71; Jianah, 31,763, 31,812-5, 31,914-5; Chonda-
Madgasker - 30,907, 30,909	
p. 465 Voluntary, after 25 years' service advocated, Eadri 29,951	<ol> <li>32,586; Kelhari, 32,658, 32,691, 32,627-9;</li> <li>Kelhar, 32,882; Madhardal, 33,223, 33,266; Sathe, 33,353, p. 431.</li> </ol>

Voluntary, after 25 years' service advocated, Eadri E 22356

Separate Examination—continued.

eparate Examination—continues
as Alternative only, to increase Indian element,
night be considered. Cartis - 29,061-6
Approved, failing simultaneous examinations,
Madgerkar, 30,783, 30,924-8, 31,073-5; Bhargri, 32,079, 32,135-7.

Board of selection for Indian successful candidates advised, Ewbaut 28,562, 28,560 4 in Each province, no objections under conditions, Mond, 26,637, 26,633-7; Curtis, 29,289.

WITH LIMIT TO NUMBER OF INDIANS:
Advocated, and details, Mand 26,631, 26,635

Advocated, and details, Mond - 25,751, 25,753, 26,756-71

not Approved, P. M. Mehta - 31,286-95

lark of inferiority, possibility of, L. S. Mehta, 27,285-7; Cartie, 29,220-9; P. M. Mehta, 31,595; Mark of 27,505-1; Chris, 22,230-2; F. M. Menta, 51,595; Sharp, 32,558; Satko, 33,355. Only in case of failure to recruit proper number in England suggested, Eubank, 28,727-31; Curkis,

20.287-8. no Restrictions re entrance advised, Embank

28,589-92 as Similar to examination in London as possible, 18,587-8 SYLLABUS:

to Give each community an equal chance, advised, and details, Eubanh - 28,562, 28,596-7 and details, Eubank Revised form of 2nd syllabus in Appendix I. advocated, Mond 28 647 Vernacular, inclusion not advised, Chandevarker 31,342-3

Separate Service for Indians as "corps d'élite," advised, and scheme, and preferred to simultaneous or separate examination, Bharucha - 92,328, 32,331, 32,336, 32,340, 32,346, 32,353-77, 32,390-409 32,510-53

Settlement Officer, Assistant, listing of post advised, Kathari 32,671, 32,801

Sharp, William Hastings, evidence of - 32,557-655

Simultaneous Examination:

if Adopted, one centre in India and at London advised, Chandavarhar - - 31.097 if not Adopted, present system preferred, Madhavlat

32.270 - 2Advocated, and reasons, Paranjpys, 20,035, 26,058, 26,050, 26,072, 26,082, 26,144-64, 26,202-5, 26,429, 28,000, 25,072, 20,092, 26,144-49, 26,720-2, 26,320, 26,443-7, 29,345-9,05, Karandikar, 28,361, 43, 46, 47,063, 27,063, 27,063, 27,063, 27,063, 27,063, 27,243, 27,289-262, 27,355-6, 18, 27,364, 27,389-1,27,35, 27,433; Karandikar, 28,361, 28,373-4, 28,405, Metecula, 29,409, 29,35; Magenior, 30,788-7, 30,788, 30,793, 3 31,702, 31,702, 31,704, 31,312, 31,303-3, 31,990-32,001; P. M. Mehta, p. 308, q. 31,377, 31,505-20, 31,079; Bhargri, 32,075, 32,077-9, 32,130; Kelkar, 32,881-3, 32,041, 33,040, 33,120; Madhavtai, 33,220, 33,265; Sathe, 33,354,

Advocated only if means devised to preserve British character of administration, and disadvantages of Bharacka 32,327, 32,323

52,227, 52,352 not Advocated, and reasons and objections to, Scott, 25,598; Cramp, 27,613, 37,816; Taleyer-ktan, 27,044, 27,355, 27,980; Barrow, 28,070, 28,256-75, 28,221; Ersbank, 28,560; Batchelor, 28,760, 28,873-4; Cartis, 28,966, 29,952-4; Kadri, 29,914, 29,955, 29,982; Proder, 39,071, 39,979-80, 30,220-1; Sabnis, 30,229; Lewronce, 30,480; Bharneka, 32,348-52, 32,389; Kothari, 32,657,

Marwetta, 32,389-32, 32,389; Rottart, 32,587,
 32,588-30, p. 489, 431, p. 503.
 not Advoented yet, though approved on principle,
 Chaudencrier 31,298, 31,139, 31,150-1, 31,212-3
 for Backward classes only, if adopted, 8500, 350
 30,248, 30,305-11, 30,393-8

Candidates would have lower standing unless European experience obtained, Aga Khan

Class representation, no difficulties anticipated, and details, Paranipys - 26,038 Common, for whole of India, Provinces will not object, Kelker Cost, &c., and teaching, Paranjoye 26,448-56, 26,495-502

Simultaneous Examination-continued. CRAMMERS:

not Necessary, or anticipated, Paranjpye, 26 26,079-SI, 26,469-72; L. S. Mehla, 27,483. 26,038, Possibility, Aga Khan 27,074-8 esire not diminishing, Chandavarkar, 31,340;

Desire not diminishing P. M. Mohta, 31,521-2.

Difficult to maintain European preponderance under, Section 30,229, 30,325

Naturi Effect on education in India, question of, Parastippe, 26,038, 26,084, 26,103, 26,246-0, 26,319, 20,589; Gerkis, 29,181, P. M. Meista, 31,595-7, 31,514-20, 31,576-92, Sharra, 23,577, 32,584, 33,567, 32,573-7, 32,589-4, 32,600-15; Kelkur, 33,120-4, p. 431.

Examination papers, question of leakage of Barrow, 28,262-5, 28,239-300; Sharp, 32,563.

Feeling in favour of, stationary, L. S. Mehtu 27,547-9

a Few men would pass, and question of men and number of candidates, &c., L. S. Mehta. 27,484-8. 27,506-89

Fixing of maximum proportion for admission of Indians advised, and one-third suggested, and scheme, Mehendale 29,490, 29,538-7, 29,578-5 Identical examinations and common list advised. L. S. Mehta

if Held, one only at Delhi advised, Bharncha 32,328-9

for Judicial branch, suggested, Karandikar 28,496 Lowering of standard of I.C.S. with, question of, . S. Mehta - 27.455 no Mark of inferiority auticipated, Paranjpye, 26,587; L. S. Mehla, 27,550-1.

Possibility of admission of disloyal persons and question of education, Barrow 28,070, 28,213-7.

Possibility of faking results not anticipated, Paraajpije 26,398-40 Power of Government to reject candidate advocated if sparingly used, Paranjpye Preponderance of Europeans difficult to maintain under, Sabuis - -30,229, 30,325

PREPONDERANCE OF INDIANS: REPUNDERANG OF RELIANS.
Atthicipated, Shurp 32,557, 32,566-7, 82,621-3
not Anticipated at first, Paranipus, 26,088-9,
26,041,26,082-6,26,430-7,26,498-502,26,636-7,
49a Khan, 27,038, 27,033, 27,065-7, 27,073-87,
27,108,27,207-9; Madgaukar, 30,764 (xx), 30,791, 27,108, 27,201-3; maggawar, ou,1021,23), ou,102, 30,920-3; P. M. Mehte, 31,381-5, 31,572-3, 31,673-7; Kelkar, 32,883, 32,943-6, 33,173-4; Madhavlal, 33,269; Sethe, 33,354, 33,369-70,

Decrease of Indian element possible at first,

\*\*Rhurari\*\* - 32,167-8 Increase in Indian element expected. Kadri, 29,957; Proeter, 30,071, 30,150.

a Large number of Indians anticipated. Jinnak 31.805

almost a Probability, Chaudawekar --31,096 31,138, 31,151, 31,216-27

Question can be dealt with later, but not really possible if Indian once admitted, P. M. Mehlo 31,574-5, 31,674-9 Results, minimum might be fixed for Europeans, but danger not imminent, Aga Khan 27,079-87

PREPONDERANCE OF ONE INDIAN COMMUNITY: Authorited, Shurp. 32,655; Kolkari, 32,6 32,689-90, 32,726-8, 32,766-70, 32,810-22. 32,657,

Feor of, Karaadikar, 28,362 (iii); Batchelor, 28,760; Curtis, 28,966; Sabuis. 30,229, 30,404-12.

Question of importance relatively to educational good, P. M. Mehta 31.510-9 Question of politics and efficient administration

P. M. Mehta 31,519, 31,598-601 Probable number of candidates and chances of success, Paragipge 26,460-8
Reasons for demand, Bioington 26,924, 26,395-7001
Recruits of hetter class than P.C.S. anticipated,
P. M. Mehta 31,485-92

31,485-92 Re ruitment from graduates, question of, P. M. Mehta 31.576-7

Reply of Government of India re, November 1, 1893,	Omission from listed posts advised, Mond 26,653
points noticed, Karandilar - 28,362 (iv)	Pay, error in Appendix VIII. p. 457
Restrictions suggested, Mehandale, 29,480; Mad- garbar, 30,786 (xviii), 30,791.	Post held by member of LCS, and reasons, L. S.
Same standard necessary on same lines, Paranipus,	Mehla, 57.495-6; Barrow, 28.089; Kadri. 29.924; Bharusha, 32,387; Kelkar, 32,904, p. 437, 474.
Same standard necessary on same lines, Paranjpye, 26,289; P. M. Mehta, 31,729-30.	russ ness once by indian, and criticism of work,
Suitable teachers, question of, Paranjpys 26,568-76 if no Successful candidates, discontent not anti-	Mend 26,889-98
cipated, L. S. Mehta 27,532-9	Technical Service, P.C.S., formation of. advised, and scheme of recruitment, and explanation, Kellar
Sind Commission: Details to members, and history p. 436	32 985, 33,212-3
Military and other officers, 1893-7, Barrow, 28,086; Laurence. 30,498, 30,582.	Tents, &c., regulations re size. Embank - 28,744-6 28,755-6
Sind:	Touring, time spent, Cartis, 29,142-3; Kadri, 29,972.
North, officers on leave go to Quetta, Leavenuce 30,743, 30,745	Training, LCS.;
Education backward, Bharqri - 82,191-3	DEPARTMENTAL EXAMINATION:
Statutory Civilians:	under Consideration, Curtic - 29,019 Indian civil law advised for final examination.
Class of men, Mend 26,879	Helker 32,892, 32,913
Mark of interiority not serious, Cartis - 29,291-3	Indian sociology advised if not taken during pro- bation, Madgentar - 30.836
Origin and rules, &c., and failure - p. 470-1	Lower standard, abolition suggested, and division
Pay (see Pay under Listed Posts). Pension suitable, Cartis, 29,010; Madganter, 30,881.	of higher into two parts, judicial and revenue.
Question of transference to P.C.S. p. 485	and details, Kadri 29,934 Restoration of 2nd examination in vermentar
Regret at short trial of experiment, Madgarkar 30.810	advised otherwise suitable, Laurence - 30,517
Revival, not advocated, Paranippe, 26,051; Mend, 96,651; Aga Khan, 27,050; L. S. Mekta, 27,354,	Rules p. 513-7
98,651; Aga Khan, 27,050; L. S. Mekta, 27,354,	Subjects not made compulsory in should be included in Madhavlat 33.279
27,491-2; Grump, 27,525; Barrow, 28,985; Karandikar, 98,369 fix): Cartis, 28,989 : Kadri	Suitable, but standard of vernacular examination
27,491-2; Grung, 27,625; B. Barron, 27,605; Karandikar, 28,362 (ix); Curtis, 28,982; Kadri, 29,923; Sabnis, 30,242, 30,461; Lawrence, 30,487; 11,122, 28,782, 13,182, 14,183, 14,183, 14,184, 14,184, 14,184, 14,184, 14,184	too low, Madgeskar 30.836
Managarant, 09,730, 50,010; Charlestoniant, 01,110;	not Suitable, and too many, and suggestions. Graham 29.766, 29.805
Jinnah, 31,777; Bhurgri, 32,991; Bhurseha, 32,332; Kelkar, 32,897; Madhevlal, 33,236, p. 496.	System suitable, Mead 26.668
Selections unfortunate, but system not bad, Sabais	IN ENGLAND;
Statutory Regulations:	Advantages, Révisges 26,950-3 after Serving in P.C.S. and before promotion to
RESPRESANTING OF POSES FOR THE LOS .	LCS., question of, Rivington - 26,960
Approved, Scott, 25,893; Mead, 26,648; L. S. Mehta, 27,351; Cramp, 27,622; Cartie, 28,979;	Law:
Mehiu, 27,351; Crump, 27,622; Curiis, 28,979; Graham, 29,758; Sabais, 30,230, 30,375-81;	Escential, Cartis 29,482-3
Chandavarker, 31,112; Kelker, 32,884, 32,953,	no Obstacle, Madgaviar 30,943-5 Special, objections, Graup 27,784-9
33,166-70 : Mudhadal, 33,233, p. 435.	
not Approved, Jinsah 31,774 History and origin p. 435	AFTER TAKING UP AFFOINTHENY: no Alteration advised, Sathe 33,358
Schedule: "	of Assistants, difficulties, Mend 26,856-7
Alterations to, advised, Mend, 26,648; Sabnis,	Choice of Collector, importance of, not realised, Medgawkar 30,835
30,239, 30,375-81. no Alteration recommended, Grassp, 27,622;	Course, details, Bubank - 28,609-16, 28,632-53
Curtis, 28,979; Grahem, 29,758; Chandavarkar,	Course, and time not wasted, Cromp - 27,730 Details, Mend - 26,831.2
31,112. Superfluous as regards P.C.S., Madgantur - 30,307	Details of present arrangements and defects, and
Violation of statute, but not reservation for	improvements advisable, Madgaular - 30,835
Indians, Kelkar 33,166-70	Differentiation between Indians and others: Acquaintance with Indian law for Europeans,
Students (see Indian Students).	and with English law and equity for Indians
Sub-division administration, arranged, Cartis	advised, and details, Kellor 32,916, 33,189-91
29,144-53	not Necessary, Mead, 26,671; Curtis. 28,995; Lauvence, 30,520; Madgarkar, 30,842; Chan-
Superintendent of Land Records (see under Land Records).	dantriar, 31,136; Jamah, 31,188; Bhurgri, 32,108; Kothari, 32,678.
Superior Posts, I.C.S. (see under Conditions of Service).	not Necessary if suggestions or probation adapted Madhardal
Supervising Agency, reduction advisable. Madgentur 30,784 (xvi)	Europeans, Sabate 30,255, 30,340-1, 20,445-40
Supplementary Examination :	Differentiation between Indians of mixed and unmixed descent:
not Advised, Madhaylal 39,270-2	Advocated, Paranjpyc 26,060
not Advocated, Kelkar S2,961-8	Advocated, Paracipyc
Syllabus (see under Indian Civil Service Examination).	Madgankar, 30.844; Jinnah, 31,790; Bhurgri,
T.	32.110; Kellar, 32,917; Madhaulal, 33,252, under Direct supervision of Collector, advised.
Taleyarkhan, Pherozeshah Jehangirshah, evidence of	Hadri - 29,973 Examination of year's practical work in executive
27,944-28,064	charge of revenue unit advised. Kotkeri - 32.673
Talukdari Estates: Accounts, in vernacular, and works re, Mond	Improvements possible, Mead - 26,833-6 Increased period advised if probation in England
Accounts, in vernaequar, and works Te, assis 26,899-904	abolished and separate instruction in law and
Office, work of, and allegations of persecution, Meso 26,902-5	languages approved, Curtis - 29,306-8 under Indian officer suggested, Paranjpye 20,368-
Indians in post, satisfactory, L. S. Mehta 27,437-8	name: Indies outco suggesten, I trougher 20,305-

υ.

Uncovenanted Service, merging of P.C.S. objected to and separation advised, Bharacha - 32,336, 32,340,

Training, LCS.—continued.

AFTER TAKING UP APPOINTMENT—continued.

Lessons in Oriental studies advocated, Keikar

Lessons in Oriental studies advocated, Ketkar 32,911	and separation advised, Bhurucha - 32,336, 32,340, 32,367
as Manulatdar for short period approved, Barrow, 28,101 - Carter, 22,200:	Universities, Indian: 27.968
some Modification necessary is proposition open	Approximating more to British standard, Parasypys 26,317-8
More systematic arrangements required, and	Examinations not sufficient test, <i>Kothari</i> 32,658, 32,692-9, 32,701-5, 32,744-62
Officers under training on leave, 1200-12, 2456	Graduates, number yearly, Paranipye 26,562  M.A. Deorge, no belo in I.C.S. examination, and
ment One year sufficient, Batchelor, 28,817; Curtis, 29,072.	question of effect of simultaneous examination on, L. S. Mekta 27,508-31
Practical administration more important than study for examination, Kathari - 32,676 study for examination, Kathari - 32,677, Rivingation	
study for examination, Robert 28, Strington, 26,087; Rissington, 26,027; Crusp, 27,837; Barrow, 28,101; Cratis, 29,073; Laurence, 30,516; Chandavar-1, 21,138	v.
kar, 31,128. under Senior Assistant Collector, good method,	Vakils of High Court, recruitment from, not advised, Crossp - 27,734
	Wowness large
in Revenue department useful, Barrosc 22,975 Ster in assitul town, with study of languages and	Gorrespondence, more important part in English, Lawrence 30,625-6
of secretariat, then to headquarters of district	DEPARTMENTAL EXAMINATION:
in sole charge of non-penduar ers drianas and selection an	High standard of proficiency advised, Karandikar, 28,361 (12); Kelkar, 32,913.
Sub-divisional charge after nine months advised, 31,059-63	Standard too low, Madgankar, 30.836; Jinnah, 31,837, 31,882-90, 32,003-4.
not Sufficient care in choosing superior onicer,	Different languages spoken in Bombay Presidency,
Paranjpye Suitable, subject to suggestion re probation in India, Madhaviai	Hench 31,383-94 Knowledge of European Civilians:
in or near big Town at first advised, Aga Khan 27,054, 27,229-34	Adequate, Kethari 32,850-1 not Adequate, and causes, &c., Kadri, 29,935;
	not Adequate, and causes, &c., Kadri, 29,935; Finnah, 31,784, 31,830-9, 31,871-90, 31,980-94, 32,005-15; Bhurgri, 32,104, 32,200-2, 32,248-7;
Unstrictory, Durry University, important, as general training Gramp 27,724-6, 27,729, 27,773-89  Value of, and of classical course, and approved, and of classical course, and approved the course of	Kelbar, 32,912; Sathe, 33,359, 33,391-400, 33,456.
Graham 29,875-94 (see also Probation and Training, I.C.S.)	Deterioration, and causes, and remedies, Laurence. 30,518; Madgantar, 30,837, 31,248; Chanda-
Tenining DCS	verkar, 31,128; Kelkar, 32,212. no Deterioration, Mead, 26,668, 26,782-3; L. S.
Charge of mamlatdar's office desirable, Barross 28,354	Mckle, 27,384; Berrow, 28,102; Gartis, 28,905; Ketheri, 32,677, p. 441.
Department examination suitable. Laurence, 30,548; Madgarkar, 30,893.	no Deterioration, but insufficient, and stricter examination advised, Batchelor - 28,770
no Reserve . p. 465 Reserve for probationer appointed direct, arrange-	Difficulty of Englishmen in acquiring, and small knowledge, P. M. Mekte 31,599, 31,684-7,
(see also Probation and Training, P.C.S.)	31,699 Good technical knowledge usually acquired, but
Transfer of cases, applications on ground of caste,	progress hindered by transfer, Rivington 26,928
Manuface TCS.	Importance of, Grassp 27,635 Interpreter's test suggested, Mond 26,670,
Allowance inadequate, and proposals re, Cartis,	26,735-9, 26,819-21 Less need, and question of means of raising, Sabais
Difficulties on account of, Rivington - 26,954 EXCESSIVE:	Many Civilians talk finently, Madhadal - 39,337
Corres March	Necessary. Karandikar, 28,361 (xii); Madhavlal, 33,248.
Leave a cause of, correspondence, re- p. 459-61 Leave rules, not cause of, and not excessive Leaverner 30.535, 30.771	
Leave as cause of, and question of avoidance of Barrow 28,340-3	newards, not adequate, or a soluble means of
Transfers, P.C.S.: Allowance on same scale as advised for LC.S.	Script:
advocated, Cartis - 20,000  Leave rules not cause of excessive transfers, Melen-	of Civilians, and substitution of Balbodh, and
dale	Remarks vs., Korondikar - 28,862 (v)
Present system. Madgankar - 30,857 Travelling allowance (see under Pay).	Crump 27 8036
not Unduly frequent, Curtis 22,500	Examination, and under Course of Study under
Travelling allowance (see under Pay).	Probation.)

